

**Liberty Revoked:**

***Korematsu v. the United States***

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**Junior Division**

**Individual Documentary**

**Process Paper: 431 Words**

## Process Paper

For last year's National History Day I created an exhibit that focused on the Chinese Exclusion Act of 1882. The topics of racism and abuse of Asian Americans in America are often overshadowed by the historical mistreatment of Native Americans and African Americans. As an individual of Asian descent, these topics strike close to home, and I believe they deserve the same amount of exposure. After reading several books about World War II and Japanese internment, I decided to center my project on *Korematsu v. the United States*, in an effort to educate and inform others about key pieces of American history that they may not have had the chance to learn about before, and that are still relevant in America today.

I started my research at my school's library. There were several books available about Pearl Harbor, World War II, Japanese internment, and Fred Korematsu. I also checked out several primary and secondary sources from the Perry-Castaneda library at the University of Texas. Finding sources specifically on the court case proved somewhat difficult, so I turned to the Internet to find additional information, using the National Archives, Discovery Education and other types of databases that would contain valuable resources. I took notes from every source that proved helpful for my project, and kept them in a binder so that I would have them available throughout the creation of my documentary, and as I wrote my bibliography.

Using the notes I took during my research, I created a script for my documentary. I then collected photographs from many different resources, including several books and online databases, such as Britannica. This was my first time entering a documentary

for the National History Day contest, so I took some time to familiarize myself with my laptop's video editing program (iMovie) and audio recording/editing program (GarageBand). Once I felt comfortable enough to begin, I recorded my script and inserted the photographs in a way that they would support my message clearly.

My topic is a clear illustration of this year's theme, "Rights & Responsibilities." Focusing on the case of *Korematsu v. the United States* shows the violation of rights that Americans of Japanese descent faced during World War II, and it highlights an ordinary man who shouldered the responsibility to stand up against the government for the rights of all Americans. The story of Fred Korematsu reminds us that it is our responsibility as citizens to speak up if we think actions taken by the military or government violate the Constitution, and that the voice of Americans carries weight and importance in our democracy.

## Bibliography

### Primary Documents

United States. Western Defense Command. "Instructions to All Persons of Japanese Ancestry."

San Francisco, Calif., April 30<sup>th</sup> 1942.

The notice that was hung around San Francisco, California, to inform residents of Japanese descent that they would be evacuated to Assembly Centers to be taken to Internment Camps later. I used this to write the script for my documentary.

United States. Executive Order. "Executive Order 9066." Washington, D.C. February 19<sup>th</sup>, 1941.

This is the Executive Order signed by Franklin D. Roosevelt that allowed the exclusion and internment of Japanese Americans from the West Coast. This was used in the writing of my documentary's script as background information for the *Korematsu v. the United States* case.

## **Primary Newspaper**

Korematsu, Fred. "Do we Really Need to Relearn the Lessons of Japanese American Internment?." *San Francisco Chronicle* 16 Sept. 2004: n. pag. *SF Gate*. Web. 14 Nov. 2013.

Written by Fred Korematsu himself, this article explains the relevancy of his conviction in American culture today as a predecessor to the attitudes of the general public on Arab-Americans after September 11, 2001. He discourages the idea of group punishment/exclusion based on race, specifically in the United States, a country that boasts equality. Korematsu warns that the state of the country is in peril if these lessons have not yet been learned from history.

## **Primary Speech**

Katyal, Neal. "Confession of Error: The Solicitor General's Mistakes During the Japanese-American Internment Cases." Department of Justice's Great Hall: Asian and Pacific Islander Month. Department of Justice. Department of Justices Great Hall, Washington, D.C.. 24 May 2011. Keynote speech.

In this speech, the former Acting Solicitor General Neal Katyal, the first Asian American to hold the position, cites an error made by one of his predecessors, Charles Fahy, who purposefully did not present data to the court when arguing against Fred Korematsu.



Jones, John. "Chinese Immigration." Senate Floor. United States Government. Senate of the United States, Washington, D. C.. 9 Mar. 1882. Speech.

A speech from the period of Chinese exclusion, this informed me about the beginnings of racism in the United States, specifically against Asian people, that made Japanese internment an unsurprising and even welcomed measure during World War II.

Roosevelt, Franklin D.. "Infamy Speech." Joint Session of Congress. United States Government. Senate Floor, Washington, D. C.. 8 Dec. 1941. Speech.

This speech, given by President Franklin D. Roosevelt, was given the day after the attack on Pearl Harbor. It represents the United States' reaction to the attack, which helped me in my research by showing the emotions that motivated Japanese internment.

### **Primary Radio Interview**

Korematsu-Haigh, Karen. "The Legacy of Civil Rights Leader Fred Korematsu." *Talk of the Nation*. National Public Radio. NPR, Washington, D.C.: 21 Jan. 2012.

Television.

An interview of Karen Korematsu-Haigh, the daughter of Fred Korematsu, this radio interview includes the experiences she encountered as a daughter of a civil rights leader. She speaks about Korematsu Day, the official Californian holiday that honors her father's life and legacy. It was useful in learning about Fred Korematsu's personal life and background.'

### **Primary Book**

Houston, James, and Jeanne Wakatasuki-Houston. *Farewell to Manzanar*. 1973.

Reprint. Boston: Houghton Mifflin Company, 2002. Print.

A memoir of a former Japanese-American internee, this book follows the daily life and experiences in the Manzanar internment camp. This reprint includes a comparison between Japanese internment camps to the treatment of Arab-Americans after the attack on the World Trade Center, written by Wakatasuki-Houston. It is one of the most famous books written by a former internee and assisted my initial topic selection process. It also provided necessary background information for my project.

## Secondary Newspaper

"Fred Korematsu, 86; Fought Internment." *Washington Post* [Washington, D.C.] 3 Apr.

2005: n. pag. *Washington Post*. Web. 7 Oct. 2013.

An obituary, this article reflects on the life and trials of Fred Korematsu. It is a basic overview of his time in internment camps and court that was helpful in my initial stages of research on this topic.

McAvoy, Audrey. "Internments can happen again, Scalia warns." *Honolulu*

*Star-Advertiser* 4 Feb. 2014: n. pag. <http://www.staradvertiser.com>. Web. 4 Feb. 2014.

A very recent article, this source contains an account of a class by Supreme Court Justice Antonin Scalia. He references *Korematsu v. the United States* and discusses how the law "falls silent" during conflict. He says that internment is still possible today. This article was most helpful in determining the stance of officials on the case and internment, as well as understanding how the effects can still be felt today.

Nakao, Annie. "Fred Korematsu -- he defied wartime order to internment camp." *San*

*Francisco Chronicle* 1 Apr. 2005: n. pag. *SFGate*. Web. 16 Nov. 2013.

This article, written after the death of Fred Korematsu, reflects on his life and achievements. It provides information on his life in California as well as his fight in court. This source includes quotes from many who knew him and was instrumental in my understanding of Korematsu's position.



"U.S. official cites misconduct in Japanese American internment cases." *Los Angeles Times* 24 May 2011: n. pag. *Los Angeles Times*. Web. 12 Nov. 2013.

This article centers around the acknowledgement made by former Acting Solicitor General Neal Katyal that one of his predecessors, Charles Fahy, deliberately withheld information from the Supreme Court when arguing against *Korematsu*. An Asian American himself, Katyal said that the ruling was a mistake partially due to Fahy's actions. This was helpful in understanding the effects of this case and how it is still important today.

### **Secondary Book**

Cooper, Michael. *Fighting for Honor - Japanese Americans and World War II*. New York: Clarion Books, 2000. Print.

This book provided background information for my project on the internment camps Japanese-Americans were forced into due to Executive Order 9066. While my project focuses on the Supreme Court case of *Korematsu v. the United States*, this information was necessary to understand the perspectives seen in court.

Davenport, John. *The Internment of Japanese Americans During World War II:*

*Detention of American Citizens*. New York: Infobase Publishing, 2010. Print.

This source is about the Executive Order 9066, internment camps and the cases of Fred Korematsu and Gordon Hirabayashi. It puts into historical context, relating the treatment of Japanese Americans to that of Arabic/Islamic Americans today. This was necessary for my documentary in connecting the two situations to prove the importance of my topic.

Hanel, Rachael. *The Japanese American Internment: An Interactive History Adventure*.

Mankato: Capstone Press, 2008. Print.

Aimed primarily for children, this book includes several scenarios Japanese-Americans faced while they were in internment camps. It was one of the first books I read about my topic, and was crucial in my early understanding of internment camps and racism in the United States towards minority groups.

Kenney, Karen. *Korematsu v. the United States : World War II Japanese-Americans interment camps*. Minneapolis: ABDO Publishing, 2013. Print.

This book centers on the many battles Fred Korematsu fought in court throughout his lifetime. It was essential in creating the timeline of events so that I could research my topic and create my documentary. The attack on Pearl Harbor, internment, Executive Order 9066 and the events of 9/11 are also covered, leading this book to become a valuable source in all stages of my research and production of my project.

Pearl, Norman. "Japanese Internment Camps." *Secret American History*. Mankato: Capstone Press, 2010. 18-19. Print.

A collection of events forgotten in American history, this book provides basic information regarding the internment camps of Japanese Americans and the attack on Pearl Harbor by the Empire of Japan. It gives the background of events that lead to the case of *Korematsu v. the United States*, such as the bombing of Pearl Harbor and internment of Japanese-Americans.

Sandler, Martin. *Imprisoned: The Betrayal of Japanese Americans During World War II*. New York: Scholastic, 2013. Print.

This book, a collection of photographs and information about Japanese internment and the attack on Pearl Harbor, introduced me to the treatment of Japanese-Americans during World War II. It provided background knowledge for my topic.

Stanley, Jerry. *I Am An American*. New York: Scholastic, 1994. Print.

Through the experiences of one young Japanese-American, Shi Nomura, this book illustrates World War II and Japanese internment camps. It uses Nomura as a backdrop for detailing the war, camps and Japanese-American soldiers. This book was informative about the various situations Japanese-Americans were placed in during World War II.

## Secondary Magazine

Harris, David. "On the Contemporary Meaning of Korematsu: "Liberty Lies in the Hearts of Men and Women"." *Missouri Law Review* Winter 2011: n. pag. *University of Missouri Law School*. Web. 28 Aug. 2013.

This article relates the case of *Korematsu v. the United States* to modern times under the threat of the al-Qaeda. It questions the constitutionality of internment camps as well as the current influence of the case on courts today. This was an important source because it was published so recently and helped me choose my topic.

## Secondary Internet

"Fred Korematsu." *NNDB: Tracking the entire world*. N.p., n.d. Web. 15 Nov. 2013.  
<<http://nndb.com/>>.

A bibliography of Fred Korematsu, this source focuses on the legal action Korematsu took throughout his life to combat racism and discrimination within the law. It offers some background information about the legal aspects of his case, which was necessary for my documentary to relate it to recent events.



"Korematsu v. United States." *Constitution Laws*. N.p., n.d. Web. 22 Nov. 2013.

<<http://constitution.laws.com/>>.

This website is about the laws surrounding Executive Order 9066 and the *Korematsu v. the United States* case. It touched on the dissents and overall decision of the court as a whole. This information on the Supreme Court case was very helpful for my project in that it helped me to comprehend the reasons of the Justices in the Supreme Court for their individual rulings.

"Korematsu v. United States (1944)." *PBS*. PBS, n.d. Web. 25 Nov. 2013.

<<http://www.pbs.org>>.

This source gives information on the internment of Japanese-Americans after the bombing of Pearl Harbor with an emphasis on the Supreme Court case of *Korematsu*. It summarizes the case as well as the individual opinions of the Supreme Court Justices that made the ruling for *Korematsu's* case.

Korematsu-Haigh, Karen. "About Fred Korematsu." *Korematsu Institute for Civil Rights and Education*. N.p., n.d. Web. 1 Dec. 2013. <<http://korematsuinstitute.org/>>.

The official website for the Korematsu Institute for Civil Rights and Education, this page provided extensive information about his life and challenges as a civil rights leader. Written by his daughter, Karen Korematsu-Haigh, it breaks down different periods during Korematu's life. This source was very useful for my research because it focused on his life as a whole.