

ENDURING COMMUNITIES

Texas Curriculum Units*

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enduringcommunities



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Enduring Communities



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Enduring Communities is a partnership between the Japanese American National Museum, educators, community members, and five anchor institutions:

[Arizona State University's Asian Pacific American Studies Program](#)

[University of Colorado, Boulder](#)

[University of New Mexico](#)

[UTSA's Institute of Texan Cultures](#)

[Davis School District, Utah](#)



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* Download other [Enduring Community units](#) (accessed September 3, 2009).

Project Overview

Enduring Communities: The Japanese American Experience in Arizona, Colorado, New Mexico, Texas, and Utah is dedicated to reexamining an often-neglected chapter in U.S. history and connecting it with current issues.

The collaboration with educators, community members, students, and five partner anchor institutions—Arizona State University’s Asian Pacific American Studies Program; University of Colorado, Boulder; University of New Mexico; UTSA’s Institute of Texan Cultures; and Davis School District, Utah—resulted in the curricula created by educator teams from five states. Two other components of the project include a national conference, “Whose America? Who’s American? Diversity, Civil Liberties, and Social Justice,” hosted in Denver in July 2008, and a practical handbook about partnership projects for peer institutions.

During World War II about 65,000 Japanese Americans—nearly one half of the mainland Japanese American population—lived in Arizona, Colorado, New Mexico, Texas, and Utah, either in concentration camps created by the United States government, as long-standing community members, or as “resettlers” from the West Coast. The situation of Japanese American populations in these states during World War II affords the opportunity to explore the contradictions and racism inherent in how we have defined citizenship and dealt with diversity.

These stories have provided—and continue to provide—a compelling point from which to consider more broadly the experiences of other regional communities during World War II and beyond. In this way, the collaboration has generated materials and dialogue that reveal how the diverse realities of American communities have challenged and shaped this country’s definitions of citizenship, patriotism, and democracy.

Introduction to the Curricular Units

These curricular units were developed over the course of four years by phenomenal educators who thoughtfully and collaboratively tackled the challenge of teaching their students about a lesser-known part of United States history. Although everybody may not have been familiar with the Japanese American experience prior to joining this project, they are committed to being lifelong learners. Together they embarked upon a three-year quest to hear more first-person stories, seek out primary resources, read scholarly works, and engage in reflection and discussion about how to most effectively teach young people.

The intense process of developing and sharing units with colleagues and then receiving feedback from field testers resulted in two dynamic outcomes. The first is a five-state collection of standards-based elementary and secondary curricular units and accompanying media pieces. Although these materials have been edited for consistency, we hope that the distinctive style and spirit of each of the individuals, teams, and communities still remains.

The second, less tangible outcome has been the formation of interstate and intrastate educator com-

munities. Seeing these communities develop and be sustained via email, telephone calls, and face-to-face meetings has been one of the most rewarding aspects of this project. The camaraderie and mutual respect of these educators is at the heart of all of these materials.

Consequently, we hope that even more teachers will be able to use these materials in their classrooms. We hope that the essential questions might cause new groups of teachers and students to think about how the World War II Japanese American experience relates to contemporary events. We hope that these materials expand and rethink the notion of what it means to be American.

In this spirit, we hope that these materials are helpful, and we welcome your feedback. Thank you!

Sincerely,

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San Antonio, Texas

Name of Unit

Dialogue, Denial, Decision:
Mock Trial of Fred Korematsu

Suggested Grade Level(s)

11, 12

Suggested Subject Area(s)

U.S. History, Government, Civics

Mr. Fred Korematsu

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Unit Map

Author

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Name of Unit

Dialogue, Denial, Decision:
Mock Trial of Fred Korematsu

Suggested Grade Level(s)

11, 12

Subject Area(s)

U.S. History, Government, Civics

Number of Class Periods Required

6 class periods (block scheduling, 90 minutes per period) or 12 class periods (45 minutes per period)

Essential Question

- In time of war, how should the government balance national security and individual liberties?

Guiding Questions

Lesson 1: Fred Korematsu's Story

- Why and how were people of Japanese descent excluded and removed from the West Coast in 1942?
- Why did Fred Korematsu defy the exclusion and assembly orders?
- What are the guarantees of the Fifth and Fourteenth Amendments?

Lesson 2: Who Is an American?

- Who is an American?

Lesson 3: Mock Trial Preparation

- How do the participants in a trial work together to ensure that a case is fairly presented and decided upon?

Lesson 4: Mock Trial of Fred Korematsu

- (See essential question)

Texas Essential Knowledge and Skills (TEKS)

United States History Studies Since Reconstruction

(6) History. The student understands the impact of significant national and international decisions and conflicts from World War II and the Cold War to the present on the United States.

(A) identify reasons for U.S. involvement in World War II, including the growth of dictatorships and the attack on Pearl Harbor;

(B) analyze major issues and events of World War II such as fighting the war on multiple fronts, the internment of Japanese-Americans, the Holocaust, the battle of Midway, the invasion of Normandy, and the development of and Harry Truman's decision to use the atomic bomb.

(18) Citizenship. The student understands efforts to expand the democratic process.

(C) explain how participation in the democratic process reflects our national identity.

United States Government

(14) Citizenship. The student understands rights guaranteed by the U.S. Constitution.

(E) explain the importance of due process rights to the protection of individual rights and to the limits on the powers of government

(15) Citizenship. The student understands the difference between personal and civic responsibilities.

(C) evaluate whether and/or when the rights of individuals are inviolable even against claims for the public good;

(18) Culture. The student understands the relationship between government policies and the culture of the United States.

(C) describe an example of a government policy that has affected a particular racial, ethnic, or religious group.

Teacher Overview

This unit asks students to think critically about a time in our nation's history when, following the 1941 attack on Pearl Harbor, decisions by our President affected more than 110,000 people of Japanese descent. The first two lessons introduce students to Fred Korematsu and his story and ask them to think about who is American and what the rights and responsibilities of Americans are. Then students work together to prepare for and participate in a mock trial loosely based on Fred Korematsu's federal district case, which took place in California in 1942; this trial preceded the landmark U.S. Supreme Court case *Korematsu v. United States*, originally tried in 1944 and overturned in 1983. The students will weigh issues related to Mr. Korematsu's violation of Civilian Exclusion Order No. 34, as well as the constitutionality of the removal and confinement of the Japanese Americans during World War II.

This unit can either be taught as the class is studying World War II, in conjunction with the study of the United States Constitution, or even as a concluding activity to the school year. Prior to beginning this unit, students need to be familiar with some background content:

- The Bill of Rights, the U.S. Constitution, and the three branches of the federal government.
- The Japanese attack on Pearl Harbor and the United States' entry into World War II.
- General background on the Japanese American experience, including Executive Order 9066 and the World War II confinement of Japanese Americans. Students should also be familiar with vocabulary words such as Issei (*first-generation Japanese immigrants ineligible for U.S. citizenship until 1952*), Nisei (*second-generation American-born citizens*), and Sansei (*third-generation American-born citizens*.)

In addition, it is highly recommended that the teacher makes the following preparations prior to starting this unit:

- Review the essays, overviews, and timelines about the Japanese American experience accompanying this unit.
- Become familiar with Fred Korematsu's story, especially through the resources recommended in the References section of Lesson 1.
- Become familiar with the mock trial process using the resources suggested in the References section of Lessons 2 and 3. If the teacher has never done a mock trial before, he/she should try it out in one or two classes and see how it works rather than assigning it to all classes.
- Gather courtroom materials needed for the mock trial (judge's robe, gavel, recording equipment, etc.)
- If possible, reserve time in the school computer lab or library for Lessons 2 and 3 and a large multipurpose room or stage on which to hold the mock trial during Lesson 4.

Ultimately, it is hoped that the mock trial will help students better understand the Japanese Americans' World War II predicament: despite all attempts to show their loyalty and patriotism to the United States, they were put into concentration camps. It is also hoped that this unit will afford the opportunity to discuss how other Americans came to their aid.

While conducting a mock trial requires a lot of preparation and can be a lot of work, it is ultimately well worth it. Good luck!

Note about the Texas Essential Knowledge and Skills (TEKS)

This unit cites the 2009 Social Studies and English Language Arts and Reading TEKS. Updates for Social Studies are expected to be available in 2010 but were not available at the time of printing.



Fred Korematsu's Story

Time

1 class period (block scheduling, 90 minutes per period) or 2 class periods (45 minutes per period)

Overview

This lesson introduces the unit's essential question and the story of Fred Korematsu, a Nisei (second-generation American-born citizen) from California who defied Civilian Exclusion Order No. 34 issued by the government after the bombing of Pearl Harbor. Students will be encouraged to think about the constitutionality of Executive Order 9066, specifically as it relates to the United States Constitution's Fifth Amendment guarantee of due process and the Fourteenth Amendment's promise of equal protection.

At the conclusion of this lesson the mock trial is introduced, and students will submit their choices for their roles in the trial. The teacher must be prepared to assign and present the students' roles by Lesson 2.

Essential Question

- In time of war, how should the government balance national security and individual liberties?

Objectives

- Students will become familiar with Fred Korematsu's decision to defy the exclusion and assembly orders issued to people of Japanese descent on the West Coast in 1942.
- Students will discuss the implications of the Fifth Amendment's guarantee of due process.
- Students will discuss the implications of the Fourteenth Amendment's promise of equal protection.

Guiding Question(s)

- Why and how were people of Japanese descent excluded and removed from the West Coast in 1942?
- Why did Fred Korematsu defy the exclusion and assembly orders?
- What are the guarantees of the Fifth and Fourteenth Amendments?

Materials

- *Handout 1-1: Notes and Quotes*
- Brief biography of Fred Korematsu, written by Eric Yamamoto and May Lee, downloaded from the Asian American Bar Association of the Greater Bay Area's Web site: <http://www.aaba-bay.com/aaba/showpage.asp?code=yamamotoarticle> (accessed September 3, 2009). An excerpt of this biography will be read aloud by the teacher.
- *Teacher Worksheet A: Roles for the Mock Trial*
- *Teacher Worksheet B: Sample Class Breakdowns*
- *Teacher Worksheet C: Sample Class Assignments*

Background

If necessary, review with students the historical content listed in the unit map.

Before teaching this lesson, the teacher should calculate how many students are needed to fill each role within the mock trial. For a list of roles and samples of how to assign student roles, please see *Teacher Worksheets A–B*. After the conclusion of this first lesson, the teacher will be responsible for assigning students to each of the roles. Please see *Teacher Worksheet C: Sample Class Assignment*. Try to match students' strengths and personalities to the roles.

Also, be sure to reserve the computer lab for Lessons 2 and 3.

Activities

- Introduce the unit's essential question and ask students to jot down their initial thoughts using a few short sentences. Students should understand that what they will be working on for the next few periods will help them to answer the essential question.
- Distribute *Handout 1-1: Notes and Quotes*. Review the instructions and have students highlight or underline the assignment. Depending on the amount of time

available, they may complete this assignment in class or as homework. After reading aloud some of the quotes and answering any questions, have them put their papers aside.

- Make sure they are paying close attention and then read aloud the excerpt of Fred Korematsu's biography downloaded from the Asian American Bar Association of the Greater Bay Area's Web site. Read the first four paragraphs of the section entitled "Early Years."
- Pause to ask the students what should happen next in accordance with the Constitution, especially the Fifth and Fourteenth Amendments. Students might say he should be read his rights and get an attorney; eventually, students should be encouraged to come up with his right to a trial. That is the lead-in for the teacher to say, "A trial is exactly what we are going to do in class for the next few days. We will re-create Mr. Korematsu's original trial through a mock trial of our own. This will not be the U.S. Supreme Court trial, but the federal district court trial that took place in California in 1942."
- Ask students to brainstorm what is needed for a trial. Write their answers on the board. Because the teacher has calculated ahead of time how many students will be assigned to each role, when a student suggests "You need a defense lawyer," write down "defense attorney (3 people)" or however many people are necessary. Make sure that the class brainstorms all necessary parts. See *Teacher Worksheets A–B* for explanations of the roles and sample class breakdowns.
- After all roles are listed on the board, briefly explain the responsibilities of each so that students can make informed decisions on the part they may want. For example, tell students, "Being an attorney is fun, but also a lot of work. You need to be comfortable speaking in front of your peers and thinking on your feet. Those who are not as comfortable speaking in public might want to consider another role," or "People interested in being witnesses get to be on the hot seat and shouldn't be afraid of tough questions."

- After answering all questions, have the students write down their top three choices for roles. Tell them to be very specific. Do not let them pick the same types of roles: for example, they are not allowed to choose only to be various types of witnesses.
- Explain that the teacher will get final say as to who plays which role. Their assignments will be revealed at the end of Lesson 2.

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Notes and Quotes

Handout 1-1

11

Name _____

Date _____ Period _____

Assignment: Read through all of the quotes and excerpts and make notes in the margins. Think about the following:

- What do the quotes have in common? Think about different angles and aspects of them. Argue for and argue against their points of view.
- What questions do you have about the quotes? Write them down in the margins. If you don't know a word, look it up.

A. From little towns in a far land we came,
To save our honour and a world aflame.
By little towns in a far land we sleep;
And trust that world we won for you to keep.
—Rudyard Kipling, “The Favour”

B. Wide open and unguarded stand our gates,
Named of the four winds, North, South, East and West;
Portals that lead to an enchanted land . . .
Here it is written, Toil shall have its wage
And Honor honor, and the humblest man
Stand level with the highest in the law.
—Thomas Bailey Aldrich, “Unguarded Gates”

C. They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.
—Benjamin Franklin

Dissent is the highest form of patriotism.
—Howard Zinn

E. Patriotism is fierce as a fever, pitiless as the grave, blind as a stone, and as irrational as a headless hen.
—Ambrose Bierce

F. Men in authority will always think that criticism of their policies is dangerous. They will always equate their policies with patriotism, and find criticism subversive.
—Henry Steele Commager

- G. When a whole nation is roaring Patriotism at the top of its voice, I am fain to explore the cleanness of its hands and the purity of its heart.
—Ralph Waldo Emerson
- H. To announce that there must be no criticism of the president, or that we are to stand by the president right or wrong, is not only unpatriotic and servile, but is morally treasonable to the American public.
—Theodore Roosevelt
- I. During times of war, hatred becomes quite respectable, even though it has to masquerade often under the guise of patriotism.
—Howard Thurman
- J. The government is merely a servant—merely a temporary servant; it cannot be its prerogative to determine what is right and what is wrong, and decide who is a patriot and who isn't. Its function is to obey orders, not originate them.
—Mark Twain
- K. Patriotism has become a mere national self-assertion, a sentimentality of flag-cheering with no constructive duties.
—H. G. Wells
- L. Our true nationality is mankind.
—H. G. Wells
- M. *Habeas Corpus*: A legal term meaning that an accused person must be presented physically before the court with a statement demonstrating sufficient cause for arrest. Thus, no accuser may imprison someone indefinitely without bringing that person and the charges against him or her into a courtroom. In Latin, *habeas corpus* literally means “you shall have the body.”
—*American Heritage New Dictionary of Cultural Literacy* (3rd Ed.)
- N. The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.
—Article 1, Section 9, Constitution of the United States
- O. . . . to hell with *habeas corpus* until the danger [of war] is over.
—Westbrook Pegler

- P. True patriotism hates injustice in its own land more than anywhere else.
—Clarence Darrow
- Q. There are two visions of America. One precedes our founding fathers and finds its roots in the harshness of our puritan past. It is very suspicious of freedom, uncomfortable with diversity, hostile to science, unfriendly to reason, contemptuous of personal autonomy. It sees America as a religious nation. It views patriotism as allegiance to God. It secretly adores coercion and conformity. Despite our constitution, despite the legacy of the Enlightenment, it appeals to millions of Americans and threatens our freedom.
The other vision finds its roots in the spirit of our founding revolution and in the leaders of this nation who embraced the age of reason. It loves freedom, encourages diversity, embraces science and affirms the dignity and rights of every individual. It sees America as a moral nation, neither completely religious nor completely secular. It defines patriotism as love of country and of the people who make it strong. It defends all citizens against unjust coercion and irrational conformity.
This second vision is our vision. It is the vision of a free society. We must be bold enough to proclaim it and strong enough to defend it against all its enemies.
—Rabbi Sherwin Wine
- R. The inconvenient thing about the American system of justice is that we are usually challenged to protect it at the most inopportune moments.
—*New York Times* editorial (December 2, 2001)
- S. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
—Fifth Amendment, Constitution of the United States
- T. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
—Fifth Amendment, Section 1, Constitution of the United States

Roles for Mock Trial

The numbers below are only suggestions; the teacher must adjust them depending on how many students are in each class. (For example, increase or decrease the number of jury members, remove a witness from each side, reduce the number of attorneys, etc.)

Role	Description	No. of Students Needed (Suggested)
Judge	This is the most difficult role in the trial, as students must know how to rule on certain objections and how to run the trial efficiently. The teacher may want to consider acting as the judge or acting as judge to start the trial and then let a student take over.	1
Prosecuting Attorneys	The team of attorneys will prosecute Fred Korematsu on the criminal charge of violating Civilian Exclusion Order No. 34 and will also try to convince the jury of the constitutionality of Executive Order 9066.	2–3
Prosecution Witness #1 Mike Masaoka	Masaoka was a Nisei and the national spokesperson for the Japanese American Citizens League during World War II. To prove the loyalty of Japanese Americans to the U.S., he advocated for their removal and confinement.	1
Prosecution Witness #2 Lieutenant General John L. DeWitt	DeWitt carried out President Roosevelt’s Executive Order, resulting in the removal of 110,000 Japanese Americans from the West Coast.	1
Prosecution Witness #3 Judy Smith	Smith is a fictional mother and outspoken American who has written letters to elected officials in favor of confining people of Japanese descent.	1
Defense Attorneys	The team of attorneys will defend Fred Korematsu on the criminal charges of violating Civilian Exclusion Order No. 34 and will also try to convince the jury that Executive Order 9066 was unconstitutional.	2–3
Defense Witness #1 Sarah Schwartz	Schwartz is a fictional American who is friends with the Korematsu family and thinks Japanese Americans pose no threat whatsoever to the safety of the nation.	1
Defense Witness #2 Ralph Lazo	During World War II Lazo was a high school student of Mexican and Irish descent who thought what was happening to his Japanese American friends was wrong. He voluntarily went to Manzanar Relocation Center.	1
Defense Witness #3 Curtis B. Munson	Munson, at the request of the Roosevelt administration and prior to the bombing of Pearl Harbor, investigated the loyalty of people of Japanese descent on the West Coast. His reports indicated that Japanese Americans were overwhelmingly loyal to the U.S.	1
Defendant Fred Korematsu	Korematsu was an American citizen on trial for violating Civilian Exclusion Order No. 34. His case eventually went to the U.S. Supreme Court, testing the constitutionality of Executive Order 9066.	1
Bailiff	The bailiff’s main duty is to maintain order in the courtroom.	1
Court Recorder	The recorder is responsible for running a recording device.	1
Court Artists	The artists make sketches of what is happening in the courtroom.	1–2
Camera/Video Person(s)	The camera/video person(s) document the trial with the camera and/or video camera.	1–2
Members of the Jury	The jury will decide on Korematsu’s guilt or innocence in defying Civilian Exclusion Order No. 34, as well as decide the constitutionality of Executive Order 9066. The teacher must select a jury foreperson.	9–14

Sample Class Breakdowns

Teacher Worksheet B

15

1st period—23 students

Judge (1)
Prosecuting Attorney (2)
Prosecution Witness (2)
Defense Attorney (2)
Defense Witness (2)
Defendant (1)
Bailiff (1)
Court Artist (2)
Camera/Video (1)
Jury (9)

2nd period—29 students

Judge (1)
Prosecuting Attorney (3)
Prosecution Witness (3)
Defense Attorney (3)
Defense Witness (2)
Defendant (1)
Bailiff (1)
Court Artist (2)
Camera/Video (1)
Jury (12)

4th period—27 students

Judge (1)
Prosecuting Attorney (3)
Prosecution Witness (3)
Defense Attorney (3)
Defense Witness (2)
Defendant (1)
Bailiff (1)
Court Artist (2)
Camera/Video (1)
Jury (10)

6th period—25 students

Judge (1)
Prosecuting Attorney (3)
Prosecution Witness (3)
Defense Attorney (3)
Defense Witness (2)
Defendant (1)
Bailiff (1)
Court Artist (2)
Camera/Video (1)
Jury (8)

7th period—30 +/- (2) (Britni? Andrea? Caroline?)

Judge (1)
Prosecuting Attorney (3)
Prosecution Witness (3)
Defense Attorney (3)
Defense Witness (3)
Defendant (1)
Bailiff (1)
Court Artist (2)
Camera/Video (1)
Jury (12)

8th period—24 students

Judge (1)
Prosecuting Attorney (2)
Prosecution Witness (2)
Defense Attorney (2)
Defense Witness (2)
Defendant (1)
Bailiff (1)
Court Artist (2)
Camera/Video (1)
Jury (10)

Sample Class Assignments Seventh Period

Teacher Worksheet C

16

Judge

Kyle A.

Prosecuting Attorneys

Kim D.

Andrew H.

Steven M.

Prosecution Witnesses

Tom S. (Lt. Gen DeWitt)

Morgan S. (Judy Smith)

Alex G. (Mike Masoaka)

Defense Attorneys

Jamise C.

Kaity W.

Jesse B.

Defense Witnesses

Brittan G. (Sarah Schwartz)

Justin T. (Curtis Munson)

Jeremy D. (Ralph Lazo)

Defendant

Lee U. (Fred Korematsu)

Bailiff

Hatam M.

Court Artist

Kristin D.

Camera/Video

Raul Y./Sarah J.

Members of the Jury

Anna W.

Lindsay P.

Jamison C.

Desire K.

Dorey J.

Caroline K.

Nathaniel P.

Audri J.

Rob L.

*Gus P.

*Denotes Jury Foreperson

Who Is an American?

Time

1 class period (block scheduling, 90 minutes per period) or 2 class periods (45 minutes per period)

Overview

This lesson engages students in a dialogue (either via an online chat or in the format of a Socratic dialogue) about their views on American citizenship and the rights and liberties that the United States Constitution affords Americans. This lesson is intended to allow students to begin thinking about how America is shaped—and has always been shaped—by a diversity of cultures and opinions.

Towards the end of the lesson, the teacher will reveal the assigned student roles for the upcoming mock trial and students will begin their preparations.

Essential Question

- In time of war, how should the government balance national security and individual liberties?

Objectives

- Students will think and dialogue about the rights and responsibilities of citizens of this country.
- Students will discuss their definition of an “American.”
- Students will think and dialogue about the protections offered by the Constitution, especially the Fourteenth Amendment.

Guiding Question(s)

- Who is an American?

Materials

- Computer lab or library, if possible
- Option 1: Online Chat
 - If allowable, download and install a copy of the “InterCLASS 2.1 PC Lab” software program. This

program sets up a teacher-facilitated instant message forum for the classroom. It can be downloaded at <http://www.alsi-usa.com/support/IC25/> (accessed September 3, 2009).

- *Handout 2-1: Chatroom Etiquette (optional)*
- Option 2: Socratic Dialogue
 - If an online chat will not work, run a Socratic dialogue in the classroom. Background information and tips for facilitating this dialogue are available from Stanford University’s *Speaking of Teaching*, available for download: http://ctl.stanford.edu/Newsletter/socratic_method.pdf (accessed September 3, 2009).
- A list of the students’ assigned roles for the mock trial, either on an overhead transparency or handouts. (See *Teacher Worksheet A: Roles for Mock Trial* from Lesson 1 for a sample.)
- Prepared packets of information for the six witnesses and one defendant. It is helpful to color-code these packets (e.g., yellow folders for all prosecution-related roles) in order to keep students on track over the next few days.
 - *Packet 2-1: Prosecution Witness #1 (Mike Masaoka)*
 - *Packet 2-2: Prosecution Witness #2 (Lieutenant General John L. DeWitt)*
 - *Packet 2-3: Prosecution Witness #3 (Judy Smith)*
 - *Packet 2-4: Defense Witness #1 (Sarah Schwartz)*
 - *Packet 2-5: Defense Witness #2 (Ralph Lazo)*
 - *Packet 2-6: Defense Witness #3 (Curtis B. Munson)*
 - *Packet 2-7: Defendant (Fred Korematsu)*
- Copies of transcribed primary source documents for each of the witnesses and the defendant
 - *Primary Source Document #1: Transcript of Executive Order 9066*
 - *Primary Source Document #2: Transcript of Civilian Exclusion Order No. 34*

Background

The teacher must determine whether to conduct an online chat or a Socratic dialogue. Either choice will require some preparation before class begins.

It is also important that the teacher prepares for the mock trial prior to teaching this lesson:

- Be familiar with the process of conducting a classroom mock trial. Learning Law and Democracy Foundation’s Web site has a helpful “Mini-Mock Trial Manual” by the Minnesota Center for Community Legal Education: <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Other valuable resources about mock trials are included in the References section at the end of this lesson.
- Assign roles for students within the class and be prepared to share the roles with students at the end of Lesson 2. Lists of roles and sample assignments are found in *Teacher Worksheets A–C* in Lesson 1.
- Prepare the information packets for the witnesses (prosecution and defense) and the defendant.
- Begin gathering courtroom materials needed for the mock trial (judge’s robe, gavel, video equipment, etc.)

Activities

- Option 1: Online Chat
 - Lay out the ground rules for the online chat. Recommended rules are included in *Handout 2-1: Chatroom Etiquette (optional)*.
 - There are several variations on how the online chat might take place: Either the whole class can participate all at once, or alternately, the class can be broken into small groups; each small group will chat for two minutes while the others follow the discussion. In the classroom of this unit’s author, the chat lasted about 45 minutes.
 - This setting might persuade some students who are not as vocal to have their voices heard.
 - If there is computer difficulty or the chat is not working for some reason, do not hesitate to switch to a verbal discussion.
- Option 2: Socratic Dialogue
 - Lay out the ground rules for the Socratic dialogue. Recommended rules are included in Stanford University’s newsletter *Speaking of Teaching*.
 - If students have never participated in a Socratic dialogue, it will take some practice; however, as they become more familiar with this technique, the discussion will move along quickly.
- Once one of the two discussion methodologies has been introduced and reviewed, the teacher is responsible for introducing the topics to be discussed and then moderating the discussion. Ask students to refer to *Handout 1-1: Notes and Quotes*. Below are suggested questions to guide the discussion, but they are by no means a limit on the questions that could be used.
- Some introductory questions:
 - How do you define what an American is?
 - How does someone show patriotism and love for America?
 - Are some people “more American” than others?
- Some core questions:
 - What are some American customs? Do all Americans observe these customs?
 - If someone has recently become an American citizen, is he or she required to renounce their cultural identity and customs?
 - How have immigrants shaped America throughout its history?
- Some closing questions:
 - What would you say to someone who accused you or not being a “true” American?
 - How would you feel if you did everything you could to show your love for your country but no one believed you?
 - How do we, as Americans, ensure that citizens enjoy the rights guaranteed them, no matter how they look, talk, or act?
- Once the discussion has run its course and with about 20 minutes remaining in the period, have students put away their discussion papers and let them know that they will get their assignments for the mock trial of Fred Korematsu. Explain that the unconventional mock trial will allow students to consider issues

related to Mr. Korematsu's violation of Civilian Exclusion Order No. 34, as well as the constitutionality of the removal and confinement of the Japanese Americans during World War II.

- Either via overhead transparency or handouts, reveal their assignments. (See *Teacher Worksheet A* from Lesson 1 for a sample.) Ask students to write down the names of the people in their groups.
- Explain that before class is over, two groups will be briefed and given a packet of information and assignments.
- Call the prosecution witnesses into the hallway first. Explain that the trial cannot move forward without their testimony. It is important that they write their testimonies that night so the attorneys can begin going over them during the next class. It would be best if they could each email their testimonies to the teacher as well as bring hard copies first thing in the morning so that the teacher can review them and make any last-minute changes before they are photocopied and distributed to all the attorneys.
- Hand them each a packet of information that the teacher had prepared prior to class:
 - *Packet 2-1: Prosecution Witness (Mike Masaoka)*
 - *Packet 2-2: Prosecution Witness (Lieutenant General John L. DeWitt)*
 - *Packet 2-3: Prosecution Witness (Judy Smith)*
 - *Primary Source Document #1: Transcript of Executive Order 9066*
 - *Primary Source Document #2: Transcript of Civilian Exclusion Order No. 34*
- Next, bring the defense witnesses and the defendant out in the hall and give them the same instructions and their respective packets of information:
 - *Packet 2-4: Defense Witness (Sarah Schwartz)*
 - *Packet 2-5: Defense Witness (Ralph Lazo)*
 - *Packet 2-6: Defense Witness (Curtis B. Munson)*
 - *Packet 2-7: Defendant (Fred Korematsu)*
 - *Primary Source Document #1: Transcript of Executive Order 9066*

- *Primary Source Document #2: Transcript of Civilian Exclusion Order No. 34*
- Once the two groups have received their briefings and their packets of information, explain to the rest of the class that they will receive their packets and specific assignments the following day. Class can be dismissed.
- However, the teacher's work is not yet over. Prior to the next class, review each witness testimony to check for errors, length, and to make sure all of the information is included. Once everything looks good, make enough copies of the testimonies for the respective defense and prosecution attorneys, one copy for the teacher, and one copy for the witness. Once the copies have been made, no changes are allowed. If a witness has not prepared his or her testimony by the first prep day, make him/her sit down in a corner that period and write it out as soon as possible.
- You're ready to go!

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Chatroom Etiquette

Handout 2-1 (optional)

21

Name _____

Date _____ Period _____

1. We will have a good discussion.
2. This chat will be moderated by the teacher, who will block students not participating appropriately. The chat will be archived and a transcript will be printed out at the end. This will help the teacher check whether each person contributed to the discussion, made valid points, and asked thoughtful questions.
3. No cursing or spamming is allowed (for example, typing “Elmo” over and over is not allowed).
4. Stay on topic.
5. Type out entire words and thoughts. No texting abbreviations allowed.
6. For long thoughts (which are good), begin typing and then type, “. . .” to let everybody know that there is more so that the class can wait.
7. When responding to Johnnie’s point, please include Johnnie’s name in the response (“I agree with you, Johnnie.”) rather than simply, “I agree” so that everybody knows to whom the response is addressed.
8. The chat is online, so there is to be no talking aloud.
9. Have fun!

Prosecution Witness #1: Mike Masaoka

Packet 2-1

22

Name _____

Date _____ Period _____

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Research and Preparation Related to the Korematsu Case

1. The trial cannot move forward until you write your testimony. You must do this for *homework tonight* so that the attorneys can begin reviewing it during the next class. It is preferable that you email your completed testimony to the teacher tonight so that any necessary changes can be made and so it can be copied for the attorneys.
2. Carefully review all of the materials in this packet and prepare 1½ to 2 pages of written testimony, Email it to your teacher before the next class. Your testimony must include the following:
 - The name of your character
 - Age
 - Family background
 - Present job
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - How your character felt when Executive Order 9066 was issued by President Roosevelt
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character's opinions regarding Fred Korematsu, his family, Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character's opinions about people, places, and things. Reading all of the information in this packet and visiting all of the Web site links will be helpful.
 - It might be difficult, but even if you disagree with your character's point of view and/or actions, you must try to get into your character's head and be as convincing as you can for the jury.
 - Think carefully about your testimony. Once you email your written testimony to the teacher, the teacher will check it and then make copies of it. Once these copies are made, you may not change your testimony.

Research and Preparation Related to the Trial Procedure

1. Review the "Mini-Mock Trial Manual" compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure.
2. After you have turned in your testimony, the attorneys from your side will review it carefully. During the

preparation periods the attorneys will meet with their witnesses to practice questioning to ensure that each witness will present a clear, logical, and memorable testimony to the jury. Rehearse both the direct examination and also the cross-examination.

3. Before and after you practice with the attorneys, you should also practice giving your testimony with the other witnesses on your side. (You are not allowed to talk to the jury or the opposing attorneys and witnesses before the trial.)
4. You **will not** have your testimony in front of you during the trial, so you must memorize as much as you can about the testimony and your character.
5. When you and your attorneys feel comfortable with your testimony, you can go and work on other homework or assignments.

General Tips for Being an Effective Witness

1. Make sure you answer questions slowly, loudly, and with confidence. Practice in front of a mirror. Even though you should have rehearsed the questions many times, try to sound genuine, as if you're answering them for the first time.
2. Show respect for the judge, jury, and attorneys at all times. This is not a fight—it is a debate.
3. If you are asked a question that you don't know the answer to, say, "I don't know."
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom procedures flow and how attorneys' questions and objections might sound during a trial.
5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Mike Masaoka (1915–1991) Packet 2-1

24



Because I believe in America and I trust she believes in me, and because I have received innumerable benefits from her, I pledge myself to do honor to her at all times and in all places; to support her constitution; to obey her laws; to respect her flag; to defend her against all enemies, foreign and domestic; to actively assume my duties and obligations as a citizen, cheerfully and without any reservations whatsoever, in the hope that I may become a better American in a great America.

—Mike Masaoka

Mike Masaoka, a Nisei (second-generation Japanese American), graduated from the University of Utah in 1937. After graduation he became the National Secretary and Field Executive for the Japanese American Citizens League, the nation's oldest and largest Asian American civil rights organization. The official history of the JACL is available on their Web site at <http://www.jacl.org/misc/documents/History.pdf> (accessed September 3, 2009).

When Japan bombed Pearl Harbor, Masaoka found himself in the difficult position of being the default spokesperson for all Japanese Americans. After considering the limited options available to him, he advocated for people of Japanese descent to cooperate with the U.S. government's mandate to exclude and remove them from the West Coast to concentration camps located in the interior of the United States. Support of this policy was very controversial then and remains controversial now; however, Masaoka was guided by his duty to be a loyal American and to comply with the U.S. government's wishes.

The U.S. government officially appointed Masaoka as the liaison for the entire Japanese American population being held in the concentration camps. Although he himself was never in camp, the government turned to Masaoka for advice on how to run the camps. He opposed any legal challenges from Japanese Americans, believing that loyal citizens did not challenge the government.

He also worked towards proving the loyalty of the Japanese Americans to the U.S., including advocating for the reinstatement of military service for Japanese Americans. Due in part to his efforts, the 442nd Regimental Combat Team was formed in 1943. Masaoka, along with his four brothers joined the 442nd, which became part of the most decorated unit for its size and length of service in U.S. military history.

Following the war, Masaoka lobbied to reform immigration and naturalization laws, resulting in the repeal of the Immigration Act of 1924 and the abolishment of the National Origins Quota Immigration System.

Masaoka's thoughts on patriotism are part of his "Japanese American Creed," downloadable from the Japanese American Voice Web site at <http://www.javoice.com/masaoka.html> (accessed September 3, 2009).

Gift of Carolyn Okada Freeman

Japanese American National Museum (96.118.5_3F_A)

All requests to publish or reproduce images in this collection must be submitted to the Hirasaki National Resource Center at the Japanese American National Museum. More information is available at <http://www.janm.org/nrc/>.

Prosecution Witness #2: John L. DeWitt

Packet 2-2

25

Name _____

Date _____ Period _____

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Research and Preparation Related to the Korematsu Case

1. The trial cannot move forward until you write your testimony. You must do this for *homework tonight* so that the attorneys can begin reviewing it during the next class. It is preferable that you email your completed testimony to the teacher tonight so that any necessary changes can be made and so it can be copied for the attorneys.
2. Carefully review all of the materials in this packet and prepare 1½ to 2 pages of written testimony, Email it to your teacher before the next class. Your testimony must include the following:
 - The name of your character
 - Age
 - Career history
 - Present job
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - What your character was responsible for doing when Executive Order 9066 was issued by President Roosevelt
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character’s opinions regarding Fred Korematsu, his family, Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character’s opinions about people, places, and things.
 - Use the most important parts of “Final Report: Japanese Evacuation from the West Coast, 1942” (see following page) to help write your testimony. Do not take information word for word; instead, take general ideas and rephrase them into your own words that make sense to you and will make sense to the jury.
 - It might be difficult, but even if you disagree with your character’s point of view and/or actions, you must try to get into your character’s head and be as convincing as you can for the jury.
 - Think carefully about your testimony. Once you email your written testimony to the teacher, the teacher will check it and then make copies of it. Once these copies are made, you may not change your testimony.

Research and Preparation Related to the Trial Procedure

1. Review the “Mini-Mock Trial Manual” compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure.
2. After you have turned in your testimony, the attorneys from your side will review it carefully. During the

preparation periods the attorneys will meet with their witnesses to practice questioning to ensure that each witness will present a clear, logical, and memorable testimony to the jury. Rehearse both the direct examination and also the cross-examination.

3. Before and after you practice with the attorneys, you should also practice giving your testimony with the other witnesses on your side. (You are not allowed to talk to the jury or the opposing attorneys and witnesses before the trial.)
4. You **will not** have your testimony in front of you during the trial, so you must memorize as much as you can about the testimony and your character.
5. When you and your attorneys feel comfortable with your testimony, you can go and work on other homework or assignments.

General Tips for Being an Effective Witness

1. Make sure you answer questions slowly, loudly, and with confidence. Practice in front of a mirror. Even though you should have rehearsed the questions many times, try to sound genuine, as if you're answering them for the first time.
2. Show respect for the judge, jury, and attorneys at all times. This is not a fight—it is a debate.
3. If you are asked a question that you don't know the answer to, say, "I don't know."
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom procedures flow and how attorneys' questions and objections might sound during a trial.
5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Lieutenant General John L. DeWitt (1880–1962)

Packet 2-2

27



Lieutenant General John Lesesne DeWitt attended Princeton University before he obtained a regular U.S. Army commission in 1898. After receiving a Distinguished Service Medal in World War I, he continued to rise in the Army ranks and in 1939 was promoted to Lieutenant General. He was in command of the West Coast's Western Defense Area when the Empire of Japan bombed Pearl Harbor on December 7, 1941.

In February 1942 DeWitt sent a memo to U.S. Secretary of War Henry L. Stimson recommending the removal of "Japanese and other subversive persons" from the West Coast. Secretary Stimson then designated DeWitt to carry out the removal from the West Coast of people of Japanese descent under the terms of Executive Order 9066, issued by President Franklin D. Roosevelt.

In March 1942 DeWitt designated as military areas the Western portions of Washington, Oregon, California, and the southern third of Arizona. By the end of October 1942 official Exclusion Orders were issued in these areas and all persons of Japanese descent were excluded and removed, the majority to ten remote camps run by the War

Relocation Authority. More than 110,000 people had been removed for the duration of World War II.

DeWitt issued a Final Report regarding the World War II military exclusion and removal of people of Japanese descent. Review this document issued by U.S. Army, "Final Report: Japanese Evacuation from the West Coast, 1942," available on the Virtual Museum of the City of San Francisco's Web site at <http://www.sfmuseum.org/war/dewitt.html> (accessed September 3, 2009.) See especially the second chapter entitled "Need for Military Control and for the Evacuation."

In 1943 DeWitt became the Commandant of the Army and Navy Staff College in Washington and retired from the Army in 1947. For his service in World War II, Congress appointed him to the rank of full General in 1954. He died of a heart attack in 1962 and is buried in Arlington National Cemetery.

Prosecution Witness #3: Judy Smith

Packet 2-3

28

Name _____

Date _____ Period _____

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Research and Preparation Related to the Korematsu Case

1. The trial cannot move forward until you write your testimony. You must do this for *homework tonight* so that the attorneys can begin reviewing it during the next class. It is preferable that you email your completed testimony to the teacher tonight so that any necessary changes can be made and so it can be copied for the attorneys.
2. Carefully review all of the materials in this packet and prepare 1½ to 2 pages of written testimony, Email it to your teacher before the next class. Your testimony must include the following:
 - The name of your character
 - Family background
 - Present job
 - Information about friends and neighbors
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
 - Whether you may have seen or incidents of spying, for example people with flashlights walking around at weird hours
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character's opinions regarding Fred Korematsu, his family, Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character's opinions about people, places, and things. Reading all of the information in this packet and visiting all of the Web site links will be helpful.
 - It might be difficult, but even if you disagree with your character's point of view and/or actions, you must try to get into your character's head and be as convincing as you can for the jury.
 - Think carefully about your testimony. Once you email your written testimony to the teacher, the teacher will check it and then make copies of it. Once these copies are made, you may not change your testimony.

Research and Preparation Related to the Trial Procedure

1. Review the "Mini-Mock Trial Manual" compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure.
2. After you have turned in your testimony, the attorneys from your side will review it carefully. During the

preparation periods the attorneys will meet with their witnesses to practice questioning to ensure that each witness will present a clear, logical, and memorable testimony to the jury. Rehearse both the direct examination and also the cross-examination.

3. Before and after you practice with the attorneys, you should also practice giving your testimony with the other witnesses on your side. (You are not allowed to talk to the jury or the opposing attorneys and witnesses before the trial.)
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5. When you and your attorneys feel comfortable with your testimony, you can go and work on other homework or assignments.

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1. Make sure you answer questions slowly, loudly, and with confidence. Practice in front of a mirror. Even though you should have rehearsed the questions many times, try to sound genuine, as if you're answering them for the first time.
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3. If you are asked a question that you don't know the answer to, say, "I don't know."
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom procedures flow and how attorneys' questions and objections might sound during a trial.
5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Judy Smith (fictional) Packet 2-3

Fast Facts:

- Mrs. Judy Smith considers herself to be a patriotic American.
- She lives in California with her husband Frank and their two children.
- Her family emigrated from England in the 1700s with the original colonists to the United States.
- To help the war effort, she worked in factories during World War I.
- Smith and her husband own a nursery specializing in roses. They compete for business with the parents of Fred Korematsu, who also have a profitable rose nursery.
- She had a cousin in the U.S. Navy who was killed in the attack on Pearl Harbor.
- For the sake of national security, she believes that removing people of Japanese descent from the West Coast is the right thing to do while the U.S. is at war with the Japanese Empire. She and her husband have written letters to their Congressman about their concerns.
- She has been listening to wartime media reports and neighborhood gossip and is very worried that Japanese Americans are capable of sabotage and spying. Smith also saw cartoons by Dr. Seuss, which concerned her greatly:
 - “Honorable Fifth Column” can be downloaded from the Mandeville Special Collections Library at the University of California, San Diego <http://orpheus.ucsd.edu/speccoll/dspolitic/Frame.htm> (accessed August 3, 2009)
 - “This Is the Enemy” can be downloaded from the Spring Hill Unified School District <http://www.usd230.k12.ks.us/PICTT/publications/cartoons/1944/m.html> (accessed August 3, 2009)
 - “All Packed Up” can be downloaded from the Virtual Museum of the City of San Francisco <http://www.sfmuseum.org/hist8/editorial4.html> (accessed August 3, 2009)

Defense Witness #1: Sarah Schwartz

Packet 2-4

31

Name _____

Date _____ Period _____

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 - Information about friends and neighbors
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
 - Whether you may have seen or incidents of spying, for example people with flashlights walking around at weird hours
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character's opinions regarding Fred Korematsu, his family, Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character's opinions about people, places, and things. Reading all of the information in this packet and visiting all of the Web site links will be helpful.
 - It might be difficult, but even if you disagree with your character's point of view and/or actions, you must try to get into your character's head and be as convincing as you can for the jury.
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1. Review the "Mini-Mock Trial Manual" compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure.
2. After you have turned in your testimony, the attorneys from your side will review it carefully. During the

preparation periods the attorneys will meet with their witnesses to practice questioning to ensure that each witness will present a clear, logical, and memorable testimony to the jury. Rehearse both the direct examination and also the cross-examination.

3. Before and after you practice with the attorneys, you should also practice giving your testimony with the other witnesses on your side. (You are not allowed to talk to the jury or the opposing attorneys and witnesses before the trial.)
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5. When you and your attorneys feel comfortable with your testimony, you can go and work on other homework or assignments.

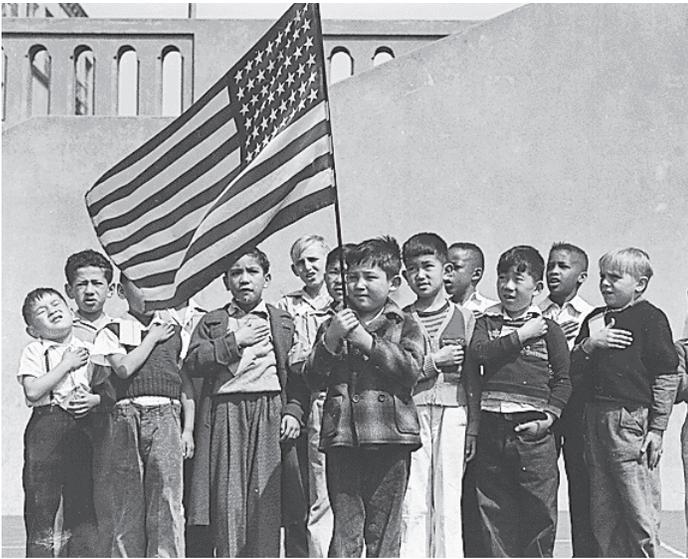
General Tips for Being an Effective Witness

1. Make sure you answer questions slowly, loudly, and with confidence. Practice in front of a mirror. Even though you should have rehearsed the questions many times, try to sound genuine, as if you're answering them for the first time.
2. Show respect for the judge, jury, and attorneys at all times. This is not a fight—it is a debate.
3. If you are asked a question that you don't know the answer to, say, "I don't know."
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom procedures flow and how attorneys' questions and objections might sound during a trial.
5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Sarah Schwartz (fictional) Packet 2-4

33



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.

Fast Facts:

- Mrs. Sarah Schwartz considers herself to be a patriotic American.
- She was born in 1905 to a German family that originally immigrated to the United States in the 1870s.
- She is married to a German man she met in California and has three children who are roughly the same age as Fred Korematsu and his brothers.
- She and her family are neighbors of the Korematsu family. Schwartz has had the Korematsu family over to her house for dinner, and the families play cards together on occasion.
- She has watched the Korematsu children grow up as Americans.
- Even though she is of German descent, she and her family were never questioned by any authorities or forced to move from their homes.
- She does not believe Fred Korematsu or the Japanese Americans on the West Coast pose a threat of spying or committing sabotage.
- Helpful images that might support Mrs. Schwartz's testimony are available on "Teaching with Documents: Documents and Photographs Related to Japanese Relocation During World War II" on the National Archives and Records Administration Web site: <http://www.archives.gov/education/lessons/japanese-relocation/#documents> (accessed September 3, 2009).

Photographer: Dorothea Lange
Courtesy of the National Archives and Records Administration
ARC Identifier 536053 / Local Identifier 210-G-A78

Defense Witness #2: Ralph Lazo

Packet 2-5

34

Name _____

Date _____ Period _____

It is your job to be effective and convincing, so you must learn as much as possible about the character that you are portraying. By following these practical tips and doing adequate preparation before the trial begins, you can be effective!

Research and Preparation Related to the Korematsu Case

1. The trial cannot move forward until you write your testimony. You must do this for *homework tonight* so that the attorneys can begin reviewing it during the next class. It is preferable that you email your completed testimony to the teacher tonight so that any necessary changes can be made and so it can be copied for the attorneys.
2. Carefully review all of the materials in this packet and prepare 1½ to 2 pages of written testimony, Email it to your teacher before the next class. Your testimony must include the following:
 - The name of your character
 - Age
 - Family background
 - Childhood background
 - Information about friends and neighbors
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
 - What living conditions in Manzanar were like, including the housing, the meals, and school life
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character's opinions regarding Fred Korematsu, his family, Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character's opinions about people, places, and things. Reading all of the information in this packet and visiting all of the Web site links will be helpful.
 - It might be difficult, but even if you disagree with your character's point of view and/or actions, you must try to get into your character's head and be as convincing as you can for the jury.
 - Think carefully about your testimony. Once you email your written testimony to the teacher, the teacher will check it and then make copies of it. Once these copies are made, you may not change your testimony.

Research and Preparation Related to the Trial Procedure

1. Review the "Mini-Mock Trial Manual" compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure.
2. After you have turned in your testimony, the attorneys from your side will review it carefully. During the

preparation periods the attorneys will meet with their witnesses to practice questioning to ensure that each witness will present a clear, logical, and memorable testimony to the jury. Rehearse both the direct examination and also the cross-examination.

3. Before and after you practice with the attorneys, you should also practice giving your testimony with the other witnesses on your side. (You are not allowed to talk to the jury or the opposing attorneys and witnesses before the trial.)
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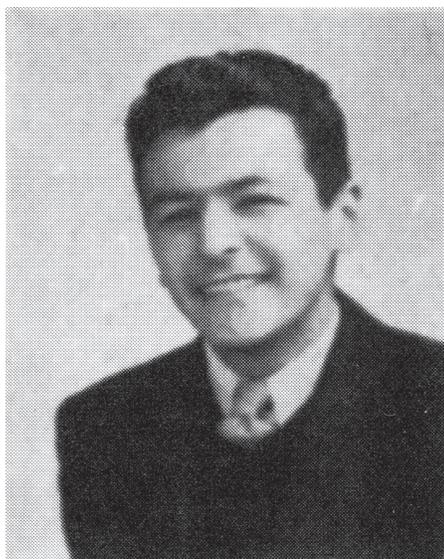
General Tips for Being an Effective Witness

1. Make sure you answer questions slowly, loudly, and with confidence. Practice in front of a mirror. Even though you should have rehearsed the questions many times, try to sound genuine, as if you're answering them for the first time.
2. Show respect for the judge, jury, and attorneys at all times. This is not a fight—it is a debate.
3. If you are asked a question that you don't know the answer to, say, "I don't know."
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom procedures flow and how attorneys' questions and objections might sound during a trial.
5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Ralph Lazo (1924–1992) Packet 2-5

36



It was immoral. It was wrong and I couldn't accept it. These people hadn't done anything that I hadn't done, except to go to Japanese-language school. They were Americans, just like I am.

—Ralph Lazo

Ralph Lazo, an American of Mexican and Irish descent, was born and raised in a multiethnic neighborhood in Los Angeles. He was a high school student when World War II broke out, and he anxiously watched as his Japanese American friends and their families received orders to be removed from Los Angeles to remote “relocation” camps where they would be confined for the duration of the war.

So Lazo insisted that he, too, go to camp. After telling his father that he was going to “camp”—vaguely implying that it was a Boy Scout–like camp—he took a train and then a bus to Central California to “camp” in Manzanar. It was not until his father read a newspaper article about his son that his

whereabouts were known.

Lazo is believed to have been the only person of non-Japanese descent without a Japanese American spouse to have voluntarily entered the camps during World War II. In Manzanar he continued his education alongside his Japanese American friends, and after graduating from Manzanar High School was drafted and eventually awarded a bronze star for heroism in combat.

After the war ended, Lazo attended UCLA and became a counselor at Los Angeles Valley College.

For additional information and photographs of life in Manzanar, read the National Park Service’s Manzanar National Historic Site document entitled “Manzanar ID Card: Ralph Lazo,” located at <http://www.nps.gov/manz/forteachers/upload/Lazo%20R.pdf> (accessed September 3, 2009).

Gift of Helen Ely Brill
Japanese American National Museum (95.93.2.14)

All requests to publish or reproduce images in this collection must be submitted to the Hirasaki National Resource Center at the Japanese American National Museum. More information is available at <http://www.janm.org/nrc/>.

Defense Witness #3: Curtis B. Munson

Packet 2-6

37

Name _____

Date _____ Period _____

It is your job to be effective and convincing, so you must learn as much as possible about the character that you are portraying. By following these practical tips and doing adequate preparation before the trial begins, you can be effective!

Research and Preparation Related to the Korematsu Case

1. The trial cannot move forward until you write your testimony. You must do this for *homework tonight* so that the attorneys can begin reviewing it during the next class. It is preferable that you email your completed testimony to the teacher tonight so that any necessary changes can be made and so it can be copied for the attorneys.
2. Carefully review all of the materials in this packet and prepare 1½ to 2 pages of written testimony, Email it to your teacher before the next class. Your testimony must include the following:
 - The name of your character
 - Present job
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
 - Whether you may have seen or incidents of spying, for example people with flashlights walking around at weird hours
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character’s opinions regarding Fred Korematsu, his family, Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character’s opinions about people, places, and things. Reading all of the information in this packet and visiting all of the Web site links will be helpful.
 - It might be difficult, but even if you disagree with your character’s point of view and/or actions, you must try to get into your character’s head and be as convincing as you can for the jury.
 - Think carefully about your testimony. Once you email your written testimony to the teacher, the teacher will check it and then make copies of it. Once these copies are made, you may not change your testimony.

Research and Preparation Related to the Trial Procedure

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preparation periods the attorneys will meet with their witnesses to practice questioning to ensure that each witness will present a clear, logical, and memorable testimony to the jury. Rehearse both the direct examination and also the cross-examination.

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5. When you and your attorneys feel comfortable with your testimony, you can go and work on other homework or assignments.

General Tips for Being an Effective Witness

1. Make sure you answer questions slowly, loudly, and with confidence. Practice in front of a mirror. Even though you should have rehearsed the questions many times, try to sound genuine, as if you're answering them for the first time.
2. Show respect for the judge, jury, and attorneys at all times. This is not a fight—it is a debate.
3. If you are asked a question that you don't know the answer to, say, "I don't know."
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom procedures flow and how attorneys' questions and objections might sound during a trial.
5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Curtis B. Munson

Packet 2-6

39

There is no Japanese “problem” on the Coast.

—Curtis B. Munson

Curtis B. Munson was a Chicago businessman recruited by the Franklin D. Roosevelt administration to secretly investigate the loyalty of the Japanese Americans on the West Coast. In October and November 1941, Munson traveled up and down the West Coast quietly conducting his investigation and issuing a series of reports to President Roosevelt. In his reports, he found the Nisei (second-generation American-born citizens) to be overwhelmingly loyal to the United States. In what is now called the Munson Report, he estimated that the West Coast Nisei were 90 to 98 percent loyal to the United States.

After the bombing of Pearl Harbor, Munson continued to voice his assertion that the Nisei were not only loyal to the United States, but that they were “pathetically eager to show this loyalty” and should be asked to help with the war effort.

Excerpts from the Munson Report are available on the Digital History Web site at http://www.digitalhistory.uh.edu/learning_history/japanese_internment/munson_report.cfm (accessed September 3, 2009).

Defendant: Fred Korematsu

Packet 2-7

40

Name _____

Date _____ Period _____

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 - The name of your character
 - Age
 - Family background
 - Present job
 - Information about friends and neighbors
 - How your character felt about the Japanese attack on Pearl Harbor
 - How your character feels about World War II
 - What your character did when Executive Order 9066 was issued by President Roosevelt and why
 - The exact sequence of events leading up to your character's arrest
 - How your character feels about the removal of people of Japanese descent from the West Coast
 - Whether your character feels that people of Japanese descent are a threat to national security
 - What your rights are as an American-born citizen
3. Here are some additional tips for writing the testimony:
 - Write in first person.
 - Include, as you see fit, facts and/or your character's opinions regarding Japanese Americans, and/or the general Japanese American World War II experience.
 - You may add and embellish where needed, including what you think might be your character's opinions about people, places, and things.
 - Write your testimony so that you appear innocent on all counts.
 - It might be difficult, but even if you disagree with your character's point of view and/or actions, you must try to get into your character's head and be as convincing as you can for the jury.
 - Think carefully about your testimony. Once you email your written testimony to the teacher, the teacher will check it and then make copies of it. Once these copies are made, you may not change your testimony.

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5. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
6. If you need help or have any questions, ask the teacher.
7. Good luck, and have a good time with this!

Biographical Information

Fred Korematsu (1919–2005) Packet 2-7

42



Being born in this country, I learned about American history, and this was my country. I just thought of myself as American.

—Fred Korematsu

Mr. Fred Korematsu was a Nisei, the American-born son of Japanese immigrants. Until December 7, 1941, Korematsu was in Oakland, California, living the life of a typical American male: after graduating from high school he got a job as a welder in the San Francisco shipyards, owned a convertible, and was in love with his girlfriend.

However, Korematsu faced discrimination while growing up. He was refused service in restaurants, dropped from the Boilermakers Union, and was not allowed to join his Euro American friends in registering for the Coast Guard. Following the Japanese attack on Pearl Harbor on December 7, 1941, he was fired from his job.

On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, setting the stage for the exclusion and removal of people of Japanese ancestry from the West Coast. More than 100,000 Japanese Americans were required to report to temporary assembly centers before being removed to ten remote concentration camps. Fred Korematsu's parents and three brothers were first removed to Tanforan, a former racetrack south of San Francisco, and then eventually to Topaz, Utah.

Fred Korematsu chose to stay behind. Korematsu and his Italian American girlfriend planned to move inland to Nevada. To disguise himself, he changed his name and had plastic surgery. Nevertheless, the police stopped him on May 30, 1942, in San Leandro, California, and turned him over to the FBI. Korematsu was charged with violating Civilian Exclusion Order No. 34, which excluded people of Japanese descent from the West Coast. In newspaper reports he was called a spy.

Korematsu's arrest resulted in a federal district trial held in California in 1942. This is the case that the class mock trial is based upon. This case preceded the landmark U.S. Supreme Court case *Korematsu v. United States*, originally tried in 1944 and overturned in 1983.

To learn more, read the entire biography of Fred Korematsu, written by Eric Yamamoto and May Lee, downloaded from the Asian American Bar Association of the Greater Bay Area's Web site: <http://www.aaba-bay.com/aaba/showpage.asp?code=yamamotoarticle> (accessed September 3, 2009).

Gift of Tsuyako "Sox" Kitashima
Japanese American National Museum (98.152.1)

All requests to publish or reproduce images in this collection must be submitted to the Hirasaki National Resource Center at the Japanese American National Museum. More information is available at <http://www.janm.org/nrc/>.

Primary Source Document #1

Transcript of Executive Order 9066

(Copies for Witnesses, Defendants, Judge, and Attorneys)

Executive Order No. 9066

The President
Executive Order

Authorizing the Secretary of War to Prescribe Military Areas

Whereas 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 as defined in Section 4, Act of April 20, 1918, 40 Stat. 533, as amended by the Act of November 30, 1940, 54 Stat. 1220, and the Act of August 21, 1941, 55 Stat. 655 (U.S.C., Title 50, Sec. 104);

Now, therefore, by virtue of the authority vested in me as President of the United States, and Commander in Chief of the Army and Navy, I hereby authorize and direct the Secretary of War, and the Military Commanders whom he may from time to time designate, whenever he or any designated Commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said Military Commander, and until other arrangements are made, to accomplish the purpose of this order. The designation of military areas in any region or locality shall supersede designations of prohibited and restricted areas by the Attorney General under the Proclamations of December 7 and 8, 1941, and shall supersede the responsibility and authority of the Attorney General under the said Proclamations in respect of such prohibited and restricted areas.

I hereby further authorize and direct the Secretary of War and the said Military Commanders to take such other steps as he or the appropriate Military Commander may deem advisable to enforce compliance with the restrictions applicable to each Military area hereinabove authorized to be designated, including the use of Federal troops and other Federal Agencies, with authority to accept assistance of state and local agencies.

I hereby further authorize and direct all Executive Departments, independent establishments and other Federal Agencies, to assist the Secretary of War or the said Military Commanders in carrying out this Executive Order, including the furnishing of medical aid, hospitalization, food, clothing, transportation, use of land, shelter, and other supplies, equipment, utilities, facilities, and services.

This order shall not be construed as modifying or limiting in any way the authority heretofore granted under Executive Order No. 8972, dated December 12, 1941, nor shall it be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, with respect to the investigation of alleged acts of sabotage or the duty and responsibility of the Attorney General and the Department of Justice under the Proclamations of December 7 and 8, 1941, prescribing regulations for the conduct and control of alien enemies, except as such duty and responsibility is superseded by the designation of military areas hereunder.

Franklin D. Roosevelt
The White House, February 19, 1942.

Transcription courtesy of the National Archives and Records Administration's History Matters project <http://www.ourdocuments.gov/doc.php?doc=74&page=transcript> (accessed September 3, 2009).

Primary Source Document #2

Transcript of Civilian Exclusion Order No. 34

(Copies for Witnesses, Defendants, Judge, and Attorneys)

44



San Francisco, California. On a brick wall beside air raid shelter poster, exclusion orders were posted at First and Front Streets directing removal of persons of Japanese ancestry from first San Francisco section to be affected by evacuation. The order was issued April 1, 1942, by Lieutenant General J. L. DeWitt, and directed evacuation from this section by noon on April 7, 1942.

Photographer: Dorothea Lange
Courtesy of the National Archives and Records Administration
ARC Identifier 536018 / Local Identifier 210-G-A40

WESTERN DEFENSE COMMAND AND FOURTH ARMY
WARTIME CIVIL CONTROL ADMINISTRATION,
Presidio of San Francisco, California
May 3, 1942

INSTRUCTIONS
TO ALL PERSONS OF
JAPANESE
ANCESTRY
Living in the Following Area:

All of that portion of the County of Alameda, State of California, within the boundary beginning at the point where the southerly limits of the City of Oakland meet San Francisco Bay; thence easterly and following the southerly limits of said city to U.S. Highway No. 50; thence southerly and easterly on said Highway No. 50 to its intersection with California State Highway No. 21; thence southerly on said Highway No. 21 to its intersection, at or near Warm Springs, with California State Highway No. 17; thence southerly on said Highway No. 17 to the Alameda-Santa Clara County line; thence westerly and following said county line to San Francisco Bay; thence northerly, and following the shoreline of San Francisco Bay to the point of Beginning.

Pursuant to the provisions of Civilian Exclusion Order No. 34, this Headquarters, dated May 3, 1942, all persons of Japanese ancestry, both alien and non-alien, will be evacuated from the above area by 12 o'clock noon, P. W. T., Sunday, May 9, 1942.

No Japanese person living in the above area will be permitted to change residence after 12 o'clock noon, P. W. T., Sunday, May 3, 1942, without obtaining special permission from the representative of the Commanding General, Northern California Sector, at the Civil Control Station located at:

920 "C" Street,
Hayward, California.

Such permits will only be granted for the purpose of uniting members of a family, or in cases of grave emergency.

The Civil Control Station is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advice and instructions on the evacuation.
2. Provide services with respect to the management, leasing, sale, storage or other disposition of most kinds of property, such as real estate, business and professional equipment, household goods, boats, automobiles and livestock.
3. Provide temporary residence elsewhere for all Japanese in family groups.
4. Transport persons and a limited amount of clothing and equipment to their new residence.

The Following Instructions Must Be Observed:

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone, will report to the Civil Control Station to receive further instructions. This must be done between 8:00 A. M. and 5:00 P. M. on Monday, May 4, 1942, or between 9:00 A. M. and 5:00 P. M. on Tuesday, May 5, 1942.
2. Evacuees must carry with them on departure for the Assembly Center, the following property:
 - (a) Bedding and linens (no mattress) for each member of the family;
 - (b) Toilet articles for each member of the family;
 - (c) Extra clothing for each member of the family;
 - (d) Sufficient knives, forks, spoons, plates, bowls and cups for each member of the family;
 - (e) Essential personal effects for each member of the family.All items carried will be securely packaged, tied and plainly marked with the name of the owner and numbered in accordance with instructions obtained at the Civil Control Station. The size and number of packages is limited to that which can be carried by the individual or family group.
3. No pets of any kind will be permitted.
4. No personal items and no household goods will be shipped to the Assembly Center.
5. The United States Government through its agencies will provide for the storage, at the sole risk of the owner, of the more substantial household items, such as iceboxes, washing machines, pianos and other heavy furniture. Cooking utensils and other small items will be accepted for storage if crated, packed and plainly marked with the name and address of the owner. Only one name and address will be used by a given family.
6. Each family, and individual living alone, will be furnished transportation to the Assembly Center or will be authorized to travel by private automobile in a supervised group. All instructions pertaining to the movement will be obtained at the Civil Control Station.

Go to the Civil Control Station between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or between the hours of 8:00 A.M. and 5:00 P. M., Tuesday, May 5, 1942, to receive further instructions.

J. L. DeWITT
Lieutenant General, U.S. Army
Commanding

Transcript courtesy of the National Park Service's Teaching with Historic Places <http://www.nps.gov/history/nr/twhp/wwwlps/lessons/89manzanar/89facts2a.htm>
(accessed September 3, 2009)

Mock Trial Preparation

Time

2 class periods (block scheduling, 90 minutes per period) or 4 class periods (45 minutes per period)

Overview

The remaining students will receive their briefings and instructions at the beginning of this lesson. Students must use the allotted time wisely to prepare for the trial. The teacher should be available to answer any questions and provide guidance as needed.

Essential Question

- In time of war, how should the government balance national security and individual liberties?

Objectives

- Students will familiarize themselves with their assigned roles and prepare for the mock trial.
- Students will hone their listening and observation skills.

Guiding Question(s)

- How do the participants in a trial work together to ensure that a case is fairly presented and decided upon?

Materials

- Computer lab or library, if possible, for students to conduct research in preparation for the trial
- *Handout 3-1: A More Perfect Union (optional)*, if Internet access is available
- Preprepared packets of information prepared for the witnesses and defendant. It is helpful to color-code these packets (e.g., yellow folders indicate prosecution-related roles) in order to keep students on track over the next few days.
 - *Packet 3-1: Judge*
 - *Packet 3-2: Bailiff*
 - *Packet 3-3: Attorneys* (one copy for each prosecuting attorney and each defense attorney)
- *Packet 3-4: Court Recorder, Court Artist, Camera/Video Person(s)*
- *Packet 3-5: Members of the Jury*
- Copies of transcribed primary source documents (from Lesson 2) for the judge and each of the attorneys
 - *Primary Source Document #1: Transcript of Executive Order 9066*
 - *Primary Source Document #2: Transcript of Civilian Exclusion Order No. 34*
- Legal pad and highlighter for each attorney
- Blank paper for the court artist
- Audio- and video-recording devices for the court recorder and camera/video person(s)
- Copies of crime puzzles for each member of the jury, court recorder, court artists, and camera/video person(s). The solutions to the puzzles should also be copied and given to the jury foreperson. The puzzles can either be copied from the book *Crime and Puzzlement: 24 Solve-Them-Yourself Picture Mysteries* or downloaded and printed from two Web sites: Youthwork Practice at <http://www.youthwork-practice.com/guessing-game-quizzes/crime-puzzles.html> (accessed September 3, 2009) and Squidoo at <http://www.squidoo.com/minutemysteries#module2936045> (accessed September 3, 2009). Additional bibliographic information is found in the References section at the end of this lesson.
- Copy of the movie *Twelve Angry Men* (either the 1957 or the 1997 version) for members of the jury, court recorder, court artists, and camera/video person(s) to watch
- Courtroom materials (robe, gavel, digital camera, video camera, tape-recording device, courtroom signs for participants, podium or large table for judge to sit behind, small microphone for witness to use if possible, easel with pad for use during trial, California flag (or drawing of one), American flag, etc.)
- Large multipurpose room or stage for trial (otherwise just use classroom and arrange desks appropriately)



Background

Before beginning this lesson, the teacher must prepare for the mock trial:

- Prepare the packets of information for the witnesses (prosecution and defense) and the defendant.
- Continue gathering courtroom materials needed for the mock trial (judge's robe, gavel, video equipment, etc.).

Activities

- Have students work on a short independent assignment that lasts about 15 minutes. If there is access to the computer lab, assign them *Handout 3-1: A More Perfect Union (optional)*.
- If possible, reserve a large space such as the computer lab, library, or multipurpose room so that the groups can conduct research and work independently of each other for two class periods (block scheduling, 90 minutes per period) or four class periods (45 minutes per period).
- While students are working on the initial assignment, call the remaining groups into the hallway. Hand them their packets of information (prepared by the teacher prior to class) and explain what they must do to prepare for the trial. The groups should be called in the following order and given their respective packets.
 - Judge and Bailiff: Give them *Packet 3-1: Judge* and *Packet 3-2: Bailiff* and review the information, highlighting some of the things they will be doing during the prep time.
 - Attorneys for the Prosecution: Hand each lawyer a legal pad, highlighter, and *Packet 3-3: Attorneys*. Explain their roles and tell them to read over every piece of paper in the folder, as the information will help them a great deal.
 - Attorneys for the Defense: Hand each lawyer a legal pad, highlighter, and *Packet 3-3: Attorneys*. (This is the same packet that the Attorneys for the Prosecution just received.) Explain their roles and tell them to read over every piece of paper in the folder, as the information will help them a great deal.
- Court Recorder, Court Artist, Camera/Video Person: Give each person in the group *Packet 3-4: Court Recorder, Court Artist, Camera/Video Person(s)*. After reviewing the instructions, give the court artist blank paper to draw on and explain to the court recorder and camera/video person(s) how to run the equipment.
- Members of the Jury: Distribute to each person in this group *Packet 3-5: Members of the Jury*. Explain to them the job of a jury and that they will be determining not only the guilt or innocence of Mr. Korematsu in defying Civilian Exclusion Order No. 34, but also the constitutionality of the President's Executive Order. They should take good notes during the trial so they can refer to them in their deliberations. Give the jury foreperson the downloaded crime puzzles to distribute. Also give the foreperson the answers to the crime puzzles to share with the group as they work together on solving them.
- Each group will have different items to work on these two days so they are all busy. The teacher should float around to each group to make sure that they are on task and to encourage/help them if they are lost. Instructions for the prep days are included in each of the packets, but please especially note that attorneys are not allowed to speak to opposing witnesses until they are being cross-examined on the stand during the trial.
- With about 10 to 15 minutes remaining in the final preparation period, it is helpful to do a walkthrough of the trial. This cuts down on wasted time on the first day of the trial. Start with the judge in the hall and have the bailiff say, "Please rise" and run through the procedure outlined in the Mini-Mock Trial Manual downloaded from the Minnesota Center for Community Legal Education. Everyone should be respond to the judge with "Your Honor." The teams should be careful not to reveal any of their strategy during this rehearsal.



References

- “5 Short Crime Puzzles and MiniCrime Stories.” Youthwork Practice <http://www.youthwork-practice.com/guessing-game-quizzes/crime-puzzles.html> (accessed September 3, 2009).
- “Classifying Arguments for Each Side: *Korematsu v. United States*.” Landmark Supreme Court Cases <http://www.landmarkcases.org/korematsu/arguments.html> (accessed September 3, 2009).
- Constitutional Rights Foundation. “Wartime and the Bill of Rights: The *Korematsu* Case.” <http://www.crf-usa.org/america-responds-to-terrorism/wartime-and-the-bill-of-rights.html> (accessed September 3, 2009).
- Minnesota Center for Community Legal Education. “Mini-Mock Trial Manual.” <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009).
- National Archives and Records Administration. “Teaching With Documents: Documents and Photographs Related to Japanese Relocation During World War II.” <http://www.archives.gov/education/lessons/japanese-relocation/#documents> (accessed September 3, 2009).
- Smithsonian National Museum of American History. “A More Perfect Union: Japanese Americans and the Constitution.” <http://americanhistory.si.edu/perfectunion/experience> (accessed September 3, 2009).
- Schoales, Gary Parker. *Justice and Dissent: Ready-to-Use Materials for Re-creating Great Trials in American History*. Upper Saddle River, N.J.: Center for Applied Research in Education, 1994.
- Treat, Lawrence. *Crime and Puzzlement: 24 Solve-Them-Yourself Picture Mysteries*. Cambridge, Mass.: David R. Godine, 1981.
- “Two Minute Mysteries.” Squidoo <http://www.squidoo.com/minutemysteries#module2936045> (accessed September 3, 2009).

A More Perfect Union

Handout 3-1 (optional)

49

Name _____

Date _____ Period _____

1. Open up Internet Explorer.
2. Go to the Smithsonian's National Museum of American History Web online exhibition, "A More Perfect Union: Japanese Americans and the U.S. Constitution," at <http://americanhistory.si.edu/perfectunion/experience/index.html> (accessed September 3, 2009).

View the pictures on the left and then read the intro on the right of the screen that starts with "This site explores . . ."

3. When you are finished reading that, click on the "Rich Media Version" link underneath where it says, "Begin the Story Experience."

Read the paragraph at the bottom. Answer these questions.

A. How many Japanese Americans were removed from their homes? _____

B. How many Japanese Americans were citizens? _____

C. What delicate balance was upset during this period? _____

4. Now put the cursor on the second photograph from the left and click on the "Removal" Section of the story.

What document, signed by President Roosevelt, ordered the removal of "any and all persons" from designated areas? _____

What was the reasoning given? _____

5. Click on the first photograph on the top left, the bombing of Pearl Harbor, entitled "Crisis: Pearl Harbor."

Go through those images by using the mouse to click and drag to view the quotes and photographs to get an idea of how some Americans on the West Coast reacted to Japanese Americans after Pearl Harbor. Jot down three things that you notice as a particular theme as you look through this piece of the story. They could be quotes or descriptions of images.

- A. _____
- B. _____
- C. _____

Who were some groups considered to be spies? _____

6. Click on “Next Section” entitled “Constitution and Executive Order.”

Use the mouse to click and drag to view the text and images. What two amendments were mentioned here?

- A. _____
- B. _____

Are there any more amendments in the Bill of Rights that could be added? _____

Click on the photograph of the girls pledging allegiance to the flag. What is the original caption for that picture? _____

What is striking to you as you look at that picture and the date of the picture? _____

7. Click on “Next Section” entitled “Process.” Click and drag and look at the photographs and text.

Who issued the exclusion orders for the West Coast? _____

What does he think of Japanese Americans? _____

Once the Japanese Americans, aka “Evacuees,” learned they were leaving, what could they bring with them? _____

8. Click on “Next Section” entitled “Moving Out.” Click and drag and look at the pictures and quotes.

Look at the photographs of the people getting on the buses. Click on them to make them larger. What do you notice they have in common? _____

What one thing stands out to you? _____

What is the estimated property loss for the forced evacuation? _____

9. After you have seen all of the images, click on “Next Section” entitled “Assembly Centers.”
10. Click on “Next Section” entitled “Internment.”
11. Click on and go through the first three photographs at the top, “Permanent Camps,” “Conditions,” and “Home = Barracks.” Write down five things you learned from these three sections.

A. _____

B. _____

C. _____

D. _____

E. _____

Bonus: What was the slogan of the 442nd Regimental Combat Team? _____

Judge

Packet 3-1

52

Name _____

Date _____ Period _____

Instructions and Information for the Judge

Judges spend many years practicing law before they preside over a trial, but by following these practical tips and by doing adequate research and preparation before the trial begins, you can be an effective judge!

Important Note on this Mock Trial

This mock trial is unconventional and fictional. It has been set up to be an impossible combination of a criminal case and a civil case. The jury will reach a verdict regarding the violation of the exclusion order (criminal) and the judge will help them reach a verdict/ruling on the issue of whether the Executive Order by the President is unconstitutional or not (civil).

Research and Preparation Related to the Trial Procedure

1. Review the “Mini-Mock Trial Manual” compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure. Page 11 contains specific instructions for judges that must be read and followed. (Note that in this mock trial, the jury selection process has been eliminated and the jurors have been predetermined.)
2. Determine how many witnesses and defendants there are and calculate a general time limit for opening and closing statements, jury deliberation, reading instructions to jury, direct questioning of witnesses, cross-examination questions, and then rebuttal questions. Remember, there are only about 180 minutes for the trial. Work with the bailiff to keep track of time.
3. Learn the different grounds for objections and be ready to rule on them:
 - *Leading*: Leading questions are only permitted during cross-examination, not during direct examination. An example of a leading question would be: “Mr. Hayes, isn’t it true that you were once convicted of a crime?”
 - *Opinions and conclusions*: Witnesses must stick to the facts and should not share their opinions or conclusions.
 - *Immaterial and irrelevant*: Witnesses can only provide information relevant to the case.
 - *Speculation*: Witnesses cannot predict the future and must rely on the facts.
 - *Hearsay*: Witnesses cannot draw on conversations outside of the courtroom. An example of hearsay might begin with the phrase, “I was told . . .”
4. Work with the bailiff to sketch out how the courtroom should be set up. Explain the set up to the Court Recorder, Court Artist, and Camera/Video Person(s).
5. Think about and write out the instructions that you will provide to the jury before they deliberate to decide whether the defendant is guilty or not guilty. Be sure to include the following information:
 - The importance of being fair.
 - Their choices for what the verdicts may be and the fact that it has to be a unanimous decision.
 - They need to think about the constitutional issues in the trial.
 - Finally, present them with a question about obeying the oath they took and have them answer in the affirmative if they understand the instructions.

Research and Preparation Related to the Korematsu Case

1. Do research on the case and the law, specifically paying attention to the following:
 - a. Fifth and Fourteenth Amendments of the U.S. Constitution
 - b. Executive Order 9066 and Civilian Exclusion Order No. 34
2. Here are some links specific to the Japanese American experience and Fred Korematsu's trial which might also be helpful:

“Classifying Arguments for Each Side: *Korematsu v. United States*.” Landmark Supreme Court Cases <http://www.landmarkcases.org/korematsu/arguments.html> (accessed September 3, 2009).

Constitutional Rights Foundation. “Wartime and the Bill of Rights: The Korematsu Case.” <http://www.crf-usa.org/america-responds-to-terrorism/wartime-and-the-bill-of-rights.html> (accessed September 3, 2009).

National Archives and Records Administration. “Teaching With Documents: Documents and Photographs Related to Japanese Relocation During World War II.” <http://www.archives.gov/education/lessons/japanese-relocation/#documents> (accessed September 3, 2009).

General Tips for Being an Effective Judge

1. If you want to clarify something with the attorneys, call a one-minute recess and have them come to the bench to talk to you and straighten things out, or you can call a recess to confer with the teacher.
2. Try to watch a television show such as *Law and Order* to get a sense of how courtroom flow, objections, and questions go in a trial.
3. Keep the trial moving. You're in charge!
4. If you need help or have any questions, ask the teacher.
5. Good luck and have a good time with this!

Bailiff

Packet 3-2

54

Name _____

Date _____ Period _____

Instructions and Information for the Bailiff

The bailiff is the courtroom law officer who works closely with the judge, keeps order in the court, and helps the trial run smoothly. By following these practical tips and by doing adequate research and preparation before the trial begins, you can be an effective bailiff!

Research and Preparation Related to the Trial Procedure

1. Review the “Mini-Mock Trial Manual” compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure and the role of the bailiff.
2. Gather all necessary materials for swearing in the witnesses. Memorize what you will say to administer the oath.
3. Check with the judge to determine approximately how many minutes each portion of the trial will take. Find a stopwatch to help the judge keep track of the time limits.
4. Also check with the judge about how he or she wants the courtroom to be set up. Share this layout with the teacher to ensure that the room setup will work.
5. Refer to the room setup and make official signs for desks showing where everyone will sit. Write the appropriate names and roles on these signs. Type these signs up in a big font, if possible.
6. Talk to the attorneys to find out the witnesses’ names and who is playing them ahead of time so that you are prepared to call them when they are requested by the attorneys.
7. Work with the judge on anything else he/she needs.

General Tips for Being an Effective Bailiff

1. Escort the defendant into and out of the courtroom.
2. Be sure that the courtroom is quiet and orderly and remove any person who causes a disturbance.
3. You are responsible—and this is important—for making sure that everyone is seated and ready to go within 2 to 3 minutes after the bell rings so the trial can get started immediately. The teacher is not getting the courtroom ready for trial—the bailiff is!
4. Try to watch a television show such as *Law and Order* to get a sense of how courtroom flow, objections, and questions go in a trial.
5. If you need help or have any questions, ask the teacher.
6. Good luck and have a good time with this!

Attorneys

Packet 3-3

55

Name _____

Date _____ Period _____

Instructions and Information for the Attorneys

By following these practical tips and by doing adequate research and preparation before the trial begins, you will be part of an effective attorney team!

Important Note on this Mock Trial

This mock trial is unconventional and fictional. It has been set up to be an impossible combination of a criminal case and a civil case. The jury will reach a verdict regarding the violation of the exclusion order (criminal) and the judge will help them reach a verdict/ruling on the issue of whether the Executive Order by the President is unconstitutional or not (civil).

Research and Preparation Related to the Korematsu Case

1. Read everything in this packet.
2. Do research on the case and the law, specifically paying attention to the following:
 - Fifth and Fourteenth Amendments of the U.S. Constitution
 - Executive Order 9066 and the Civilian Exclusion Order No. 34
3. Here are some links specific to additional information about the Japanese American experience and Fred Korematsu's trial that might be helpful:

“Classifying Arguments for Each Side: *Korematsu v. United States*.” Landmark Supreme Court Cases <http://www.landmarkcases.org/korematsu/arguments.html> (accessed September 3, 2009).

Constitutional Rights Foundation. “Wartime and the Bill of Rights: The Korematsu Case.” <http://www.crf-usa.org/america-responds-to-terrorism/wartime-and-the-bill-of-rights.html> (accessed September 3, 2009).

National Archives and Records Administration. “Teaching With Documents: Documents and Photographs Related to Japanese Relocation During World War II.” <http://www.archives.gov/education/lessons/japanese-relocation/#documents> (accessed September 3, 2009).

4. After conducting your research, decide what theme and motive your team will focus on to prove Fred Korematsu's guilt/innocence in regards to violating Civilian Exclusion Order No. 34, as well as your case on proving/disproving the constitutionality of Executive Order 9066. It is very important that your team of attorneys present a consistent case to the jury. Determine the questions to be used in the direct examination and cross-examination.
5. As a team, decide which team member(s) will give the opening and closing statement and which team member(s) will conduct the direct examination of which witnesses. It is also possible to question all witnesses together, like a tag team.
6. Once the team receives witness testimonies, analyze them, begin formulating questions, and determine the order



in which you will call your witnesses to the stand. Start with your witness's testimony and then move to trying to anticipate loopholes in that testimony that the opposing attorneys might ask about. (Attorneys are only allowed to talk to their own witnesses prior to the trial; you may not talk to the opposing witnesses before the trial.)

7. After you have done your research and analyzed the testimony, rehearse with your witnesses both the direct examination (which will be conducted by your team) and the cross-examination (conducted by the opposing attorneys). While rehearsing, be sure that the witnesses' responses will be believable to the jury. Both the witnesses and the attorneys should have their testimonies and questions memorized on the day of the trial, so the more you can practice, the better.

Research and Preparation Related to the Trial Procedure

1. Review the "Mini-Mock Trial Manual" compiled by the Minnesota Center for Community Legal Education, available at <http://www.civicallyspeaking.org/mock3.pdf> (accessed September 3, 2009). Pages 5 through 7 are especially helpful because they outline the trial procedure.
2. Learn the different grounds for objections and be ready to use them appropriately:
 - *Leading*: Leading questions are only permitted during cross-examination, not during direct examination. An example of a leading question would be: "Mr. Hayes, isn't it true that you were once convicted of a crime?"
 - *Opinions and conclusions*: Witnesses must stick to the facts and should not share their opinions or conclusions.
 - *Immaterial and irrelevant*: Witnesses can only provide information relevant to the case.
 - *Speculation*: Witnesses cannot predict the future and must rely on the facts.
 - *Hearsay*: Witnesses cannot draw on conversations outside of the courtroom. An example of hearsay might begin with the phrase, "I was told . . ."
3. During questioning, remember that the jury does not have the witnesses' testimonies in front of them and is unfamiliar with what they have to say. Therefore, you have to walk your witness step-by-step through his or her testimony so that the jury understands the whole picture.

Opening and Closing Statements

1. These statements are the most important part of the trial, so the team member(s) selected to give them should begin drafting these statements early; this allows the rest of the team a chance to read and critique them.
2. Opening and closing statements should have the following characteristics:
 - Clearly and simply state the basic facts of the case.
 - Avoid personal opinion statements such as "I believe . . ."
 - Refer to the individuals on your side of the case by their names; refer to the individuals on the opposing side by their roles, such as "the defendant" or the "the prosecution witness."
 - In the opening statement, do not give away the entire case. End the opening statement by telling the jury that the facts that they will hear during the trial will support the case and that you are hoping for a favorable verdict.
 - In the closing statement, refresh the jury's memory about important facts or testimonies but do not introduce any new arguments.
3. The team member(s) giving the opening and closing statements should practice in front of a mirror at home, hopefully memorizing their text to appear as knowledgeable, competent, and persuasive as possible.

Direct Examination

1. The purpose of the direct examination is to ask clear and simple questions that allow the witnesses to tell the complete story. Your team can win the trial on the strength of the direct examination.
2. Practice your questions and refer only briefly to notes.
3. Assume that the jury knows nothing about the case, the witnesses, or the defendant. It is your job to clearly build a case for them.
4. The jury tends to remember what is said first and last. Therefore, work with your team to think about any possible weaknesses in your case and present them somewhere in the middle of the direct examination. It is usually most effective to be forthright about any weaknesses in order to preempt the opposing side from bringing them up. Also, it is recommended that your team schedules the strongest witnesses to be the first and last to take the stand.
5. If your witnesses get nervous and forget to mention important details, it is your job to ask questions that will draw out those details. If a witness says something unexpected and harmful to the case, remain calm and go to another question to try to refocus the jury's attention.
6. Advise your witnesses to listen carefully to the opposing attorney during the cross-examination and only answer the question that is asked. Witnesses should never volunteer information under cross-examination.

Cross-Examination

1. The purpose of the cross-examination is to try to get the person on the stand to agree with the facts that support your case and discredit the opposing side's argument.
2. Focus your questioning on just the main points that support your case. Questions that require yes/no answers allow you to remain more in control of the situation. For example, during the cross-examination, you can state a fact and have a witness agree or disagree with it. During the cross-examination, you are allowed to ask leading questions. (You are not permitted to ask leading questions during direct examination.)
3. During the cross-examination, listen very closely to the answers that are being given.
4. Never argue with a witness—it is improper and does not make a good impression on the jury.
5. If you get an unexpected answer, remain calm and continue as if nothing has happened. If the witness keeps responding to your questions with "I don't know," don't worry because they are probably making a bad impression on the jury.
6. Prior to the mock trial, you are not allowed to discuss the case with witnesses from the opposing side and can only question them during the trial.

General Tips for Being an Effective Attorney

1. Remember that all of the attorneys are part of a team, are equals, and make decisions by consensus. Work together as a team and help each other if somebody gets stuck.
2. Show respect for the judge, jury, and witnesses at all times. This is not a fight—it is a debate.
3. During the mock trial, speak clearly and loudly so that the judge and jury can hear you. Practice in front of a mirror.
4. Walk around when questioning the witnesses because the jury may stop listening if you stand in one place for too long.
5. Do not constantly object to everything, just what is most important.



6. If something unexpected happens, remain calm and continue on.
7. The jury is often impressed if you seem to have memorized the details of the case.
8. Be creative and have fun. Do demonstrations and show pictures and/or photographs to make a strong case for your side. Use the easel to put these things on display so that the jury can see them.
9. Try to watch a television show such as *Law and Order* to get a sense of how courtroom flow, objections, and questions go in a trial.
10. On the day of the trial, your team might come to school dressed a little bit nicer than usual in order to impress the jury.
11. If you need help or have any questions, ask the teacher.
12. Good luck and have a good time with this!

Court Recorder, Court Artist, Camera/Video Person(s)

Packet 3-4

59

Name _____

Date _____ Period _____

Research and Preparation Related to the Trial Procedure

1. During prep days, the court recorder, court artist, and camera/video person(s) will draw a large American flag and a large California flag to put up on the wall for the courtroom.
2. Locate and test the recording devices that you will be using during the trial.
3. Check with the judge about how the courtroom will be set up.
4. Meet with members of the jury to work together as a group to solve crime mystery puzzles. These puzzles will sharpen your powers of observation in preparation for the mock trial.
5. Watch the movie *Twelve Angry Men* (either the 1957 or the 1997 version). This movie has some similarities to the current case. Listen intently to the conversation. Answer these questions as the movie progresses:
 - Pick a juror in the movie. Describe the opinion that he initially formed about the case and why. Is this a proper way for a juror to form an opinion?
 - Did the one dissenting juror believe that the defendant was guilty, did he think the man was innocent, or did he concern himself with these thoughts at all?
 - Do you think that the dissenting juror planned to try to convince the others of his opinion all along? What were his methods of persuasion?
 - Do you think that the jurors thought that the boy had killed his father? Should they have voted to convict if they held that belief?
 - How would you have voted in this case? Why?

General Tips for Being an Effective Court Recorder, Court Artist, and Camera/Video Person

1. Pay attention and listen carefully to what is happening during the trial.
2. Try to watch a television show such as *Law and Order* to get a sense of how courtroom flow, objections, and questions go in a trial.
3. If you need help or have any questions, ask the teacher.
4. Good luck and have a good time with this!

Members of the Jury

Packet 3-5

60

Name _____

Date _____ Period _____

Important Note on this Mock Trial

This mock trial is unconventional and fictional. It has been set up to be an impossible combination of a criminal case and a civil case. The jury will reach a verdict regarding the violation of the exclusion order (criminal), and the judge will help them reach a verdict/ruling on the issue of whether the Executive Order by the President is unconstitutional or not (civil).

Research and Preparation Related to the Trial Procedure

1. The jury foreperson has been given some crime puzzles. Meet with the court recorder, court artist, and camera/video person(s) to work together as a group to solve crime mystery puzzles. Only the foreman will have the answers. These puzzles will sharpen your powers of observation in preparation for the mock trial.
2. Watch the movie *Twelve Angry Men* (either the 1957 or the 1997 version). This movie has some similarities to the current case. Listen intently to the conversation. Answer these questions as the movie progresses:
 - Pick a juror in the movie. Describe the opinion that he initially formed about the case and why. Is this a proper way for a juror to form an opinion?
 - Did the one dissenting juror believe that the defendant was guilty, did he think the man was innocent, or did he concern himself with these thoughts at all?
 - Do you think that the dissenting juror planned to try to convince the others of his opinion all along? What were his methods of persuasion?
 - Do you think that the jurors thought that the boy had killed his father? Should they have voted to convict if they held that belief?
 - How would you have voted in this case? Why?

General Tips for Being an Effective Member of the Jury

1. In this mock trial, the job of a jury is to use the facts to objectively determine not only the guilt or innocence of Mr. Korematsu in regards to violating Civilian Exclusion Order No. 34, but also the constitutionality of the President's Executive Order. (In reality, the jury would not rule on the constitutionality of the executive order.)
2. You are not expected to know anything about the specifics of the case before the mock trial begins. The attorneys and the witnesses will explain the case from their points of view. You must listen carefully to try to determine whether the witnesses are telling the truth, lying, or perhaps not even contributing any useful information to the case.
3. Take good notes on the Juror's Form (see following page) during the trial and refer to these notes during deliberations.
4. After the case is presented, the judge will ask you to retire to the jury chamber to come up with a verdict of "guilty" or "not guilty." Once a decision is reached, you will return to the courtroom and give your decision to the judge.
5. The jury's verdict is final. Remember that the defendant is innocent until proven guilty beyond a reasonable doubt. A "hung jury" is a jury that cannot reach an agreement by consensus about the guilt or innocence of the defendant. If the defendant is acquitted, he or she can never be retried for the same offense.



6. Try to watch a television show such as *Law and Order* to get a sense of how courtroom flow, objections, and questions go in a trial.
7. If you need help or have any questions, ask the teacher.
8. Good luck and have a good time with this!

Juror's Form

Packet 3-5

Listen carefully to the trial and take good notes. These notes will help you during the deliberations.

	Prosecution	Defense
Opening Statements Name _____		
Prosecution Witness #1 Name _____		
Prosecution Witness #2 Name _____		
Prosecution Witness #3 Name _____		
Defense Witness #1 Name _____		
Defense Witness #2 Name _____		
Defense Witness #3 Name _____		
Closing Statements Name _____		

Mock Trial of Fred Korematsu

Time

2 class periods (block scheduling, 90 minutes per period) or 4 class periods (45 minutes per period)

Overview

After proper preparations, students will witness and participate in a mock trial of the federal district court case of Fred Korematsu which took place in California in 1942.

Essential Question

- In time of war, how should the government balance national security and individual liberties?

Objectives

- Students will develop questions and arguments.
- Students will hone their listening and observation skills.
- Students will participate in a mock trial.

Guiding Question(s)

- (See essential question.)

Materials

- Courtroom materials (robe, gavel, digital camera, video camera, tape-recording device, courtroom signs for participants, podium or large table for judge to sit behind, small microphone for witness to use if possible, easel with pad for use during trial, California flag [or drawing of one], American flag, etc.)
- Large multipurpose room or stage for trial (otherwise just use classroom and arrange desks appropriately)
- Brief biography of Fred Korematsu, written by Eric Yamamoto and May Lee, downloaded from the Asian American Bar Association of the Greater Bay Area's Web site: <http://www.aaba-bay.com/aaba/showpage.asp?code=yamamotoarticle> (accessed September 3, 2009)

Background

To see a student perspective of the mock trial, please see the four drawings done by a court artist in this unit's author's class. They are included at the end of this lesson.

Activities

- Make sure that everyone is set up and ready to go, including the tech people, court artists, court reporter, etc.
- Start the trial.
- Don't be afraid to interrupt the proceedings to correct things. For example, the judge may have to cut off questioning at some point for each witness if it goes too long. It is often helpful for the judge to call several recesses during the trial to clarify things with attorneys.
- The opening statements and the direct and cross-examinations of all three prosecuting witnesses should be completed in the first 90 minutes. (If not, simply make adjustments on the next day.)
- The direct and cross-examinations of the defense witnesses and the closing statements should be completed within the second 90 minutes.
- The judge will then issue instructions to the jury, who will deliberate and make their decision. Normally the jury would just decide on the guilt or innocence of Mr. Korematsu, but for the sake of this mock trial and by overwhelming request of students who have done this unit in the past, the jury is asked to rule on the guilt or innocence of Mr. Korematsu in violating Civilian Exclusion Order No. 34 and then will be joined by the judge to rule on the constitutionality of Executive Order 9066. Reiterate that in real life, the judge alone would rule on constitutional issues.
- After the verdict is reached and read to the court, share with the class the actual 1944 court ruling: Mr. Korematsu was convicted and placed under five years' probation. Read aloud to the class Fred Korematsu's biography, downloaded from the Asian American Bay



Association of the Greater Bay Area's Web site. Begin reading where Lesson 1 left off.

- Discuss and debrief following trial.
- Reintroduce the unit's essential questions and ask students to answer them a second time based on new insights and content they gained throughout the course of the unit.

Extensions

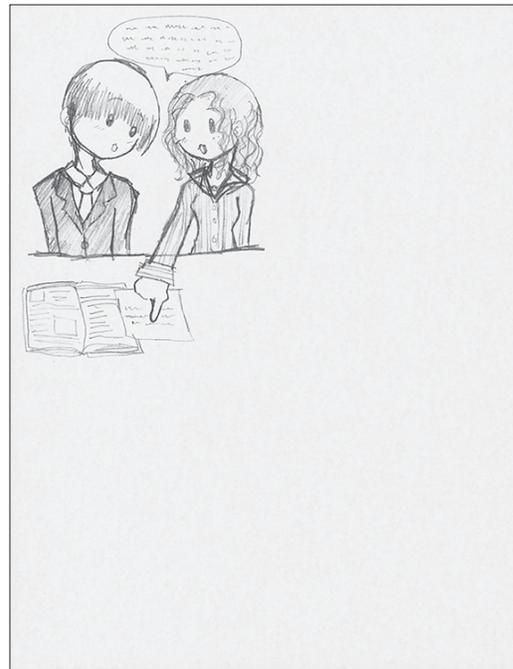
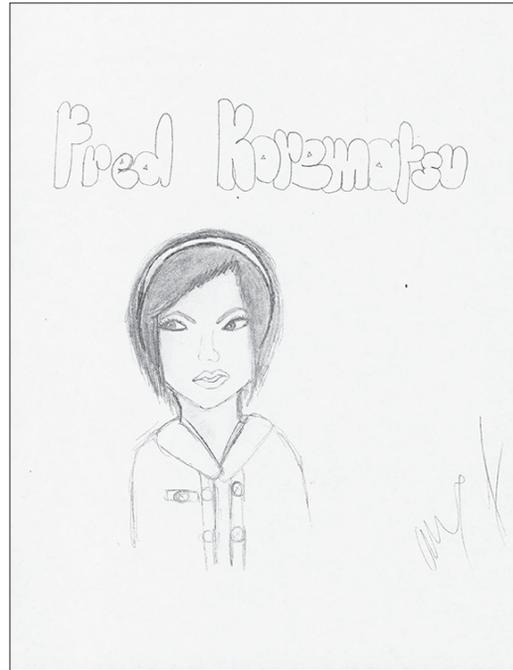
- Give students a prompt and have them write an essay regarding Arab Americans: *After the September 11, 2001, attacks, should Arab Americans have been confined? What can people today do to prevent this from happening again?*
- Watch the 1990 film *Come See the Paradise*. (It is rated "R," so it may be necessary to preview it and get permission to show the movie in class.) This movie tells the story of a Euro American man who falls in love with a Nisei woman in Little Tokyo in the 1930s. They run away to Seattle to marry and start a family, but their lives are disrupted when the husband is arrested in a union protest and then when the bombing of Pearl Harbor prompts the exclusion and removal of people of Japanese descent from the West Coast. Be sure to point out the historical inaccuracies in the film, although students will likely already be aware of some of them.

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Sample Student Work:

Court Artist Drawings



Terminology

and the Japanese American Experience

The present procedure of keeping loyal American citizens in concentration camps on the basis of race for longer than is absolutely necessary is dangerous and repugnant to the principles of our Government.

—Attorney General Francis Biddle, December 30, 1943

In this war we are seeing more euphemistic terms than in previous conflicts. Consequently, the concentration camp which the government is starting to build at Puyallup is termed an “assembly center.” But it is a concentration camp, even though temporary.

—Tacoma News-Tribune, March 31, 1942

They were concentration camps. They called it relocation but they put them in concentration camps, and I was against it. We were in a period of emergency but it was still the wrong thing to do.”

—Harry S. Truman in Merle Miller, *Plain Speaking: An Oral Biography of Harry S. Truman* (New York: Berkeley Publishing Corp., 1974)

The words and phrases used to describe this history vary considerably amongst scholars, government officials, and even those directly affected by Executive Order 9066: “relocation,” “evacuation,” “incarceration,” “internment,” “concentration camp.” There is no general agreement about what is most accurate or fair.

Officially, the camps were called “relocation centers.” Many now acknowledge that “relocation center” and

“evacuation” are euphemisms used purposefully by the government to downplay the significance of its actions.

America’s concentration camps are clearly distinguishable from Nazi Germany’s torture and death camps. It is difficult to accept the term “concentration camp” because of the term’s associations with the Holocaust. This educational material uses “concentration camp” not in an effort to bear comparisons to the atrocities of the Holocaust, but to express the veritable magnitude of what was done to Japanese Americans.

It is an unequivocal fact that the government itself, including the President, used the term “concentration camp” during World War II in speeches and written documents. It is also crucial to note that a “concentration camp” is defined broadly as a place where people are imprisoned not because they are guilty of any crimes, but simply because of who they are. Many groups have been singled out for such persecution throughout history, with the term “concentration camp” first used at the turn of the twentieth century in the Spanish-American and Boer wars.

Despite some differences, all concentration camps have one thing in common: People in power remove a minority group from the general population, and the rest of society lets it happen.

Adapted from the Japanese American National Museum’s exhibition *Haunting Questions: Understanding the Japanese American Incarceration*



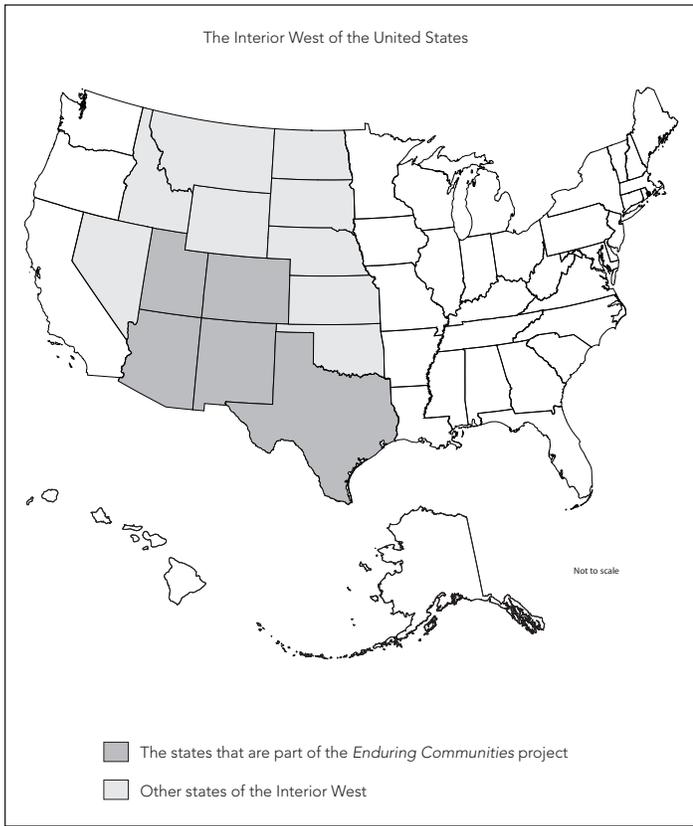
Japanese American Confinement Sites in the United States During World War II*



- WAR RELOCATION AUTHORITY (WRA) sites**—
 Concentration or so-called relocation camps established to confine Americans of Japanese ancestry, two-thirds of whom were American-born citizens.
 - ASSEMBLY CENTER sites**—
 Initial temporary detention sites used to assemble persons of Japanese ancestry, citizens and non-citizens alike, for transit to more long-term incarceration sites predominantly outside of an "exclusion zone."
 - DEPARTMENT OF JUSTICE (DOJ) sites**—
 Internment sites that primarily Issei, or alien residents of the United States of Japanese descent excluded from seeking citizenship through naturalization, were detained and/or confined. **
- ** Crystal City among DOJ sites is notable for having operated similarly to a WRA concentration camp. German and Italian enemy aliens who were treated separately and Latin American Japanese, primarily from Peru who had been involuntarily deported to the United States, also were confined at Crystal City. Other DOJ sites detained and/or confined mixed populations of enemy aliens, as did many of the U.S. Army centers.

- DEPARTMENT OF WAR sites**—
 Primarily U.S. Army centers where predominantly non-citizens of Japanese descent were detained and/or confined en route to long-term internment or incarceration sites.
 - PENITENTIARIES**—
 Federal penitentiaries and facilities where Japanese American citizens who were convicted of "unlawfully" challenging federal government orders such as draft dodging or the constitutionality of the government orders restricting persons of Japanese ancestry, were imprisoned.
- * To see a map of the confinement sites for all enemy aliens, please refer to the Web site www.enemyalienfiles.org.

Japanese Americans in the Interior West



Japanese Americans in the Interior West: A Regional Perspective on the Enduring Nikkei Historical Experience in Arizona, Colorado, New Mexico, Texas, and Utah (and Beyond)

Arthur A. Hansen

On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which allowed U.S. military commanders to designate military areas as “exclusion zones” from which “any or all persons may be excluded.” This action came two and a half months after Japan’s December 7, 1941, attack upon Pearl Harbor—the U.S. naval station in the Territory of Hawaii then home to the main part of the American fleet—which precipitated the United States’s entry into World War II.

Although it did not specifically mention Japanese Americans, E.O. 9066 led to the decision by Lieutenant General John L. DeWitt, the Western Defense Command head, to exclude people of Japanese ancestry—both Issei (Japan-born aliens ineligible for American naturalization) and native-born Nisei, who were U.S. citizens—from California, the western

halves of Washington and Oregon, and southern Arizona. Of the roughly 127,000 pre-World War II U.S. Nikkei (Japanese Americans), two-thirds were U.S. citizens and the overwhelming majority lived in the three excluded states bordering the Pacific Ocean. Approximately 94,000 Nikkei resided in California.

Initially, General DeWitt opted for “voluntary” resettlement: this allowed the “excluded” Nikkei to move—at their own expense—to any unrestricted area in the country.¹ As a result, 1,963 people moved to Colorado, 1,519 to Utah, 305 to Idaho, 208 to eastern Washington, 115 to eastern Oregon, 105 to northern Arizona, 83 to Wyoming, 72 to Illinois, 69 to Nebraska, and 366 to other states (including New Mexico and Texas). There were many other potential refugees, however, who were thwarted in their attempts to move inland by the unwillingness of some states to accept them, difficulties in obtaining lodging and automobile fuel en route to their destinations, and upon their arrival, hostile “No Japs Wanted” “reception” committees, both public and private.

Consider the case of Clarence Iwao Nishizu, a 31-year-old Orange County (California) Nisei farmer. Having decided in early March 1942 that he preferred to have his family voluntarily move out of California and resettle inland, he drove his recently purchased 1941 Chevrolet to Colorado to check out possibilities there; he was accom-

¹ See Janis Takamoto, “The Effects of World War II and Wartime Sentiment on Japanese and Japanese American ‘Voluntary’ Evacuees” (master’s thesis, California State University, Long Beach, 1991).

panied by a younger brother, John, and a longtime Nisei friend, Jack Tsuchara. They were well aware that Colorado—thanks to the courageous civil libertarian commitments of its governor, Ralph Carr—and Utah (to a lesser extent) were the only western states willing to have excluded Japanese American citizens become residents.²

As restricted citizens under curfew on the Pacific Coast, the Orange County Nisei trio was required to carry travel permits, and they were not allowed to be out any later than eight o'clock in the evening. Before their early morning departure from southern California, they had heard rumors that no gas would be sold to Japanese travelers. After passing through Las Vegas on their first evening on the road, they were obliged to test the veracity of these rumors in the gateway southwestern Utah city of St. George. There, practically out of fuel, they stopped at the first filling station they encountered. It was closed, but when they saw someone sleeping inside the station they knocked on the door, and were greeted by a tough, burly man toting a shotgun, who growled: "What do you want?" To which Jack Tsuchara replied, "We're out of gas, can you sell us some?" Surprisingly, the man responded in the affirmative. Relieved, and now with a full tank of gas, the pilgrims drove to Salt Lake City, via Vernal, Utah, where they bought alcohol for the car's radiator to prevent it from freezing.

It was after midnight when the Nisei travelers crossed the state line into Colorado, after which they drove past Steamboat Springs up to the 12,000-foot summit of the Rockies. There it was snowing, a cold wind was blowing, and the temperature was 35 degrees below zero—and the water in the car's radiator had completely boiled out. While the men initially contemplated filling the radiator with tea, they ultimately rejected this plan due to the tea's high tannic acid content. Instead, they used a roadside cedar post to make a fire and so were able to melt snow for radiator water. With that problem solved, they continued their Colorado journey to Loveland and then on to Denver. There they succumbed in the early morning to their desperate need for sleep, only to be awakened by a policeman who inquired what they were doing sleeping in their car in the daytime. They replied, "Getting some rest after driving all night from California."

Fortified with a letter of introduction from a produce shipper back home in southern California, the three Nisei went to see the head of a seed company in Littleton, a town south of Denver, and he kindly offered to let them stay at his home. After looking around Littleton, however, they realized that there was little hope of their families establishing a footing in that community. They then traveled to San Luis, Colorado's oldest city, in search of suitable agricultural property to farm, but there they found nothing but alkaline soil, so they drove on to La Jara, a town near the Colorado/New Mexico border, to meet with one of the oldest pioneer Issei farmers in the state. Already reluctant to accommodate Nikkei "outsiders," this patriarch apparently used the pretext of an earthy utterance by Clarence Nishizu, made in earshot of several of his ten daughters, to refrain from even inviting the three travelers into his home to discuss resettlement prospects.

After a visit to the alien internment center in Santa Fe, New Mexico, to visit Issei relatives and family friends detained there, the three Nisei drove south to Las Cruces. There they met an Issei who was farming chilies—the crop their own families grew in the world's chili capital, Orange County, California. Known as the "chili king" of Las Cruces, this Issei obviously feared potential competition and so offered his Nisei visitors no encouragement whatsoever to resettle in his area. Before leaving New Mexico, the threesome traveled west to Deming, a town they left in a hurry after an incident in a bar: an edgy local drinker inquired as to whether they were Chinese or Japanese, explaining, ominously, that "I can't tell the difference between a [good] Chinese and a bad Jap." Going next to El Paso, Texas, they met with yet another unfriendly reception, this time from the staff of the Chinese restaurant where they stopped to

2 For a full assessment of Governor Ralph Carr's actions in relation to Japanese Americans during World War II, consult the biographical study by Adam Schrager, *The Principled Politician: The Ralph Carr Story* (Golden, Colo.: Fulcrum, 2008).

eat. Following a meal punctuated by shouts from the restaurant's noticeably agitated personnel, the Nisei returned to their car, only to be menaced by the sight of a knife placed under a tire in order to puncture it.

Clearly it was time to return to California, but even as they attempted to get home the group met with further degradation. Driving through Chandler, Arizona, they were stopped by a state highway patrolman. After informing the Nikkei travelers that they were in a restricted zone, the lawman reminded them that there was a curfew in effect and asked if they possessed an authorized travel permit. When Jack Tsuhara flashed the obligatory document for inspection, the patrolman then patronizingly announced that they were headed in the wrong direction and smugly corrected their mistake.

In May of 1942, Clarence Nishizu's family was detained first at the Pomona Assembly Center on the site of the Los Angeles County Fairgrounds; in August 1942 they were moved to the Heart Mountain Relocation Center in northwestern Wyoming. At the time, almost all of the nearly 2,000 Nikkei in Orange County had been evicted from their homes and were incarcerated at the large concentration camp called Poston Relocation Center, located on Colorado River Indian tribal land in southwestern Arizona. After being declared ineligible for military service, in 1944 Clarence resettled with his wife, Helen, and their two young daughters in Caldwell, Idaho (near Boise), where he worked hauling potatoes. Around the same time, his parents and his two brothers, John and Henry, resettled in Ordway, Colorado, where they attempted to farm, unsuccessfully, on leased land. During the winter of 1945, with the West Coast now reopened to Japanese Americans, the entire Nishizu clan returned to southern California.³

The Nishizu family's story of "relocation" and "resettlement" is only one among thousands of parallel versions involving other Japanese American mainlanders—truly a "people in motion"—during the World War II era. It is of particular value, however, because it spotlights and invites strategic exploration of a largely neglected aspect of Japanese American history, society, and culture: the prewar, wartime, and postwar circumstances of Nikkei communities within what historians Eric Walz and Andrew Russell have styled the Interior West of Japanese America.⁴ This essay will examine this topic in some depth, placing special emphasis upon the enduring historical experience of Japanese Americans living in the states of Arizona, Colorado, New Mexico, Texas, and Utah.⁵ By exploring these lesser-known stories, we achieve a broader and more multidimensional understanding of the Japanese American experience as a whole and give a voice to those communities that have always existed but have often been pushed to the margins in accounts of the more mainstream West Coast Japanese American communities.

In addition to touching upon the five states mentioned above, the Nishizu narrative mentions three other western interior states: Idaho, Nevada, and Wyoming. These eight states—as well as Kansas, Montana, Nebraska, North

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- 3 See Clarence Iwao Nishizu, interview by Arthur A. Hansen, June 14, 1982, interview 5b, Japanese American Oral History Project, Oral History Program [Center for Oral and Public History], California State University, Fullerton. This interview was published as a bound volume (edited, illustrated, and indexed) in 1991 by the CSUF Oral History Program. For the resettlement narrative featured here, see pp. 142-44.
- 4 See, in particular, the following studies: Eric Walz, "Japanese Immigration and Community Building in the Interior West, 1812-1945" (PhD diss., Arizona State University, 1998); "From Kumamoto to Idaho: The Influence of Japanese Immigrants on the Agricultural Development of the Interior West," *Agricultural History* 74 (Spring 2000): 404-18; "Japanese Settlement in the Intermountain West, 1882-1946," in Mike Mackey, ed., *Guilty by Association: Essays on Japanese Settlement, Internment, and Relocation in the Rocky Mountain West* (Powell, Wyo.: Western History Publications, 2001), pp. 1-24; and Andrew Benjamin Russell, "American Dreams Derailed: Japanese Railroad and Mine Communities of the Interior West" (PhD diss., Arizona State University, 2003). In the second of the three citations above, Walz offers a precise definition of the Interior West: "that part of the United States east of Washington, Oregon, and California and west of the Missouri River" (p. 404). In addition to these writings by Walz and Russell, see a relevant new study by Kara Allison Schubert Carroll, "Coming to Grips with America: The Japanese American Experience in the Southwest" (PhD diss., Arizona State University, 2009).
- 5 My intention here is to avoid, as much as possible, replicating information about these five states that the *Enduring Communities* project state scholars—Karen Leong and Dan Killoren (Arizona); Daryl J. Maeda (Colorado); Andrew B. Russell (New Mexico); Thomas Walls (Texas); and Nancy J. Taniguchi (Utah)—have provided in their respective essays, included in this curriculum and written from a multicultural perspective.

Dakota, Oklahoma, and South Dakota—can be perceived in the present context as constituting the Interior West region. (This categorization is useful despite the fact that these states range over a number of variably designated geographical subregions: Pacific Northwest, Southwest, Intermountain, Great Plains, and Midwest.)

One notable commonality between these fourteen states is their relatively large geographical size. This point is dramatized by their rankings in total area among the 50 U.S. states.⁶ These states also are alike in that they have comparatively small total populations.⁷ Another common denominator for the 14 Interior West states is their comparatively small Asian American population relative to the national average of 3.6 percent (according to the 2000 U.S. census).⁸ In terms of the racial-ethnic population (Asian/Black/American Indian/Hispanic) of the Interior West, however, it is apparent that a noticeable disparity in this regard exists between the five principal states and the nine subsidiary states when the percentages for the two units are compared to the national average percentage of 29.3.⁹

When Clarence Nishizu and his party explored resettlement possibilities in the Interior West in early 1942, the demographic profile for the area's 14 states (based on 1940 census information and arrayed in alphabetical order) reveals the following total and racial-ethnic population figures: **Arizona (499,261 - 174,371)**; **Colorado (1,123,296 - 109,343)**; Idaho (524,873 - 8,300); Kansas (1,801,028 - 79,571); Montana (559,456 - 21,228); Nebraska (1,315,834 - 23,705); Nevada (110,247 - 9,263); **New Mexico (531,818 - 261,387)**; North Dakota (641,935 - 10,791); Oklahoma (2,336,434 - 232,629); South Dakota (642,961 - 24,206); **Texas (6,414,824 - 1,663,712)**; **Utah (550,310 - 9,962)**; Wyoming (250,742 - 10,273).¹⁰ As for the Interior West Nikkei population at the point of the U.S. entry into World War II, it was distributed as follows: **Arizona (632)**; **Colorado (2,734)**; Idaho (1,200); Kansas (19); Montana (508), Nebraska (480); Nevada (470); **New Mexico (186)**; North Dakota (83); Oklahoma (57); South Dakota (19); **Texas (458)**; **Utah (2,210)**; and Wyoming (643). Even in 1940, all fourteen Interior West states could claim enduring com-

6 Rankings in terms of area: Texas (2); Montana (4); New Mexico (5); Arizona (6); Nevada (7); Colorado (8); Wyoming (10); Utah (13); Idaho (14); Kansas (15); Nebraska (16); South Dakota (17); North Dakota (19); Oklahoma (20).

7 Rankings in terms of population size: Wyoming (50); North Dakota (47); South Dakota (46); Montana (44); Idaho (39); Nebraska (38); New Mexico (36); Nevada (35); Utah (34); Kansas (33); Oklahoma (27); Colorado (24); Arizona (20); Texas (2). The last three of these states (Colorado, Arizona, and Texas), observably, are exceptional in that their present-day population ranking falls within the upper half of the nation's fifty states. However, viewed historically, only Texas claimed such a ranking in the six national censuses extending from 1910 to 1960: 1910 (5); 1920 (5); 1930 (5); 1940 (6); 1950 (6); 1960 (6). As for Arizona, its population rankings differed markedly, with a population loss from the early part of the twentieth century until 1960: 1910 (45); 1920 (45); 1930 (43); 1940 (43); 1950 (37); 1960 (35). Colorado's ranking during this time period changed very little: 1910 (32); 1920 (32); 1930 (33); 1940 (33); 1950 (34); 1960 (33). When looked at another way, it can be appreciated that Colorado's population increased by a robust 30.6 percent between 1990 and 2000, while Arizona's grew by a whopping 40 percent.

8 This is certainly true of the five principal states: Arizona (1.8 percent); Colorado (2.2 percent); New Mexico (1.1 percent); Texas (2.7 percent); and Utah (1.7 percent). But this point applies (with one obvious exception) even more powerfully to the nine other states: North Dakota (0.6 percent); South Dakota (0.6 percent); Nebraska (1.3 percent); Nevada (4.5 percent); Kansas (1.7 percent); Oklahoma (1.4 percent); Wyoming (0.6 percent); Montana (0.5 percent); and Idaho (0.9 percent).

9 On the one hand, all but Nevada (32.3) of the latter states fall beneath this percentage (and most substantially so): North Dakota (6.3 percent); South Dakota (10.9 percent); Nebraska (11.7 percent); Kansas (15.3 percent); Oklahoma (20.1 percent); Wyoming (10.1 percent); Montana (9.0 percent); Idaho (10.6 percent). On the other hand, three of the five former states exceed (two quite strikingly) the national average percentage: Arizona (35.2 percent); Colorado (24.1 percent); New Mexico (54.6 percent); Texas (46.0 percent); Utah (12.8 percent).

10 Because the primary focus in this essay is on the five states of Arizona, Colorado, New Mexico, Texas, and Utah, the statistics for these states are rendered in bold type.

munities, however modest, of Nikkei living and working within their boundaries.¹¹ In 1900 there were a total of 5,278 Japanese Americans living in the 14 Interior West states, with 767 of them residing in the primary five states and 4,509 in the supplementary nine states. By 1940, the total number of Nikkei in the Interior West had grown to 9,624—however, their distribution in the primary and supplementary states had almost reversed itself: the five primary states now counted 6,220 as opposed to the nine states' 3,404 Nikkei. What accounts for this transformed situation?

The work of the late Nisei historian Masakazu Iwata—in particular, his book *Planted in Good Soil: A History of the Issei in United States Agriculture*—is especially helpful in explaining the population numbers above.¹² Because Iwata's focus is on Japanese immigrants who came to the U.S. mainland after 1884 when Japan began allowing general emigration of laborers to foreign countries, he only alludes to the 61,111 Japanese who were living in the Hawaiian Islands by 1900, by and large toiling on the many sugar plantations there. For Iwata, what is notable is that between 1902 and 1907 37,000 Japanese migrated to the continental U.S., where they joined the 80,000 who had arrived directly on the mainland between 1893 and 1910; these numbers were augmented by thousands of their fellow countrymen who indirectly entered the U.S., legally and illegally, from Canada and Mexico.¹³

Whether journeying directly to the U.S. mainland or via Hawai'i, most Japanese immigrants landed at the West Coast ports of Seattle and San Francisco. While some people settled proximate to these cities, many more fanned out to other parts of the West. "In contrast to the westward migration across the American continent of immigrants from Europe after their landing in Atlantic coast ports," observes Iwata, "those from Japan pushed eastward from the Pacific Coast, their progress generally coming to a halt roughly at the Missouri River in the Nebraska sector, [while] in the south the farthest advance eastward was into the Rio Grande Valley of Texas."¹⁴

These overwhelmingly unmarried male Issei were drawn to the U.S. primarily for economic reasons. Most came from agrarian backgrounds in southern Japan and—despite the fact that they were preponderantly common laborers—most were relatively well-educated. As compared to those in this immigrant wave with a sojourner mentality (i.e., who determined to stay abroad only long enough to earn sufficient money to alleviate their Japanese families' dire financial straits and/or to build lives for themselves in Japan), there was only a very small number who intended to settle permanently in America.

Fortuitously, the Issei arrived in the U.S. as the Interior West region was experiencing what historian Eric Walz has described as "an economic boom fueled by railroad construction, coal and hard-rock¹⁵ mining, and agricultural

11 For example, in 1900, at the twentieth century's outset, the five primary states had these Japanese American populations: **Arizona (281); Colorado (48); New Mexico (8); Texas (13); Utah (417)**. In the three decennial censuses between 1900 and 1940, the almost universally escalating number of Nikkei in these states is captured statistically: **Arizona (371 - 550 - 879); Colorado (2,300 - 2,464 - 3,213); New Mexico (258 - 251 - 249); Texas (340 - 449 - 519); Utah (2,100 - 2,936 - 3,269)**. As for the subsidiary nine states, their Nikkei decade-by-decade populations—recorded in the four U.S. censuses for those decades—from 1900 through 1930 were characterized by a generally fluctuating growth pattern: Idaho (1,291 - 1,263 - 1,569 - 1,421); Kansas (4 - 107 - 52 - 37); Montana (2,441 - 1,585 - 1,074 - 753); Nebraska (3 - 590 - 804 - 674); Nevada (228 - 864 - 754 - 608); North Dakota (148 - 59 - 72 - 91); Oklahoma (0 - 48 - 67 - 104); South Dakota (1 - 42 - 38 - 19); Wyoming (393 - 1,596 - 1,194 - 1,026).

12 Masakazu Iwata, *Planted in Good Soil: A History of the Issei in United States Agriculture*, 2 vols. (New York: Peter Lang, 1992). The two volumes of this work are consecutively numbered.

On Japanese immigration into the western U.S. mainland, see also the following two studies: Azusa Tsuneyoshi, "Meiji Pioneers: The Early Japanese Immigrants to the American Far West and Southwest, 1880–1930" (PhD diss., Northern Arizona University, 1989) and Andrea A. E. Geiger, "Cross-Pacific Dimensions of Race, Caste and Class: Meiji-era Japanese Immigrants in the North American West, 1885–1928" (PhD diss., University of Washington, 2006).

13 Iwata, *Planted in Good Soil*, p. 112.

14 Ibid.

15 Gold, copper, zinc, nickel, lead, etc.

development.”¹⁶ Recruited by labor contractors, the Issei were a mobile workforce. As both individuals and gang laborers, they moved not only between different work opportunities on the Pacific Coast and the western interior sections of the U.S., but also between America and Japan and many other parts of the world in which Japanese workers filled a variety of employment needs. Concurrently, their emigration patterns relieved population pressure on their native Japan, and through remittances, increased its wealth.¹⁷

Many Issei who came to America first found employment with the steam railroad companies in two of the five primary Interior West states, Colorado and Utah, but many more also worked for the railroad industry in such secondary states as Montana, Idaho,¹⁸ Wyoming,¹⁹ and Nevada.²⁰ This largely accounts for why the 1900 census counted so many more Nikkei in the secondary states rather than the primary states. However, as Iwata notes, even though they achieved remarkable success—supplanting Chinese railroad workers; gaining wage parity with (and then employer preference over) other immigrant laborers from such countries as Italy, Greece, and Austria; improving their status within the industry by becoming section workers (occasionally even foremen) and office secretaries and interpreters; and accumulating some surplus capital—the majority of Issei “began to look about for work other than that in the railroads.”²¹ Nonetheless, as Masakazu Iwata is quick to remind us, in spite of this exodus of Issei workers from the railroads during the first decade of the twentieth century, “even as late as 1930 there were over 2,000 Japanese still working in the railroad industry.”²² Moreover, as historian Andrew Russell has more recently indicated, “while their numbers shrank steadily in the prewar [World War II years], the Nikkei of the railroads and mines continued to account for a sizable percentage of the Japanese-American population of most interior states right up to the start of the war.”²³

Russell recounts that sometime after going into railroad work, Issei entered into mining operations (albeit to a far lesser extent). While there were outcroppings of Japanese mining settlements in Rock Springs and other

16 See Eric Walz, “From Kumamoto to Idaho,” p. 405.

17 Remittances were money sent by overseas Japanese laborers to Japan for investment or for family support. Although the largest Issei remittance payments came from Hawaii and California, those sent home by Interior West laborers were also fairly substantial. For example, a 1908 survey of Japanese farmers in Colorado revealed that one-third of them sent annual remittances averaging one hundred dollars.

18 For details about Issei employment in the Pacific Northwest (Montana and Idaho, as well as Washington and Oregon), see William Thomas White, “A History of Railroad Workers in the Pacific Northwest, 1883-1934” (PhD diss., University of Washington, 1981) and “Race, Ethnicity, and Gender in the Railroad Work Force: The Case of the Far Northwest, 1883-1918,” *Western Historical Quarterly* 16 (July 1985): 265-83, especially pp. 273-76. In “Race, Ethnicity, and Gender,” White explains that most of the peak 13,000 Issei workers on western railroads were in the pay of the Northern Pacific, the Great Northern, the Southern Pacific, Union Pacific, and Milwaukee lines, with the Great Northern alone employing 5,000 of them, “although their number declined rapidly in the wake of the Gentlemen’s Agreement of 1907-1908” (p. 274).

19 For an in-depth treatment of Nikkei railway employment within Wyoming, see Barbara Hickman, “Japanese Railroad Workers in Wyoming, 1891-1941” (master’s thesis, University of Wyoming, 1989). Hickman emphasizes that her study concentrates on “the Japanese who worked for the Union Pacific, both on the tracks and in its related industries across the southern tier of Wyoming, and along the Oregon Short Line northwest from Kemmerer in the southwest of the state” (p. 1).

20 For a brief overview of pre-World War II Issei railroad workers in Nevada, see Andrew Russell, “Friends, Neighbors, Foes and Invaders: Conflicting Images and Experiences of Japanese Americans in Wartime Nevada” (master’s thesis, University of Nevada, Las Vegas, 1996), pp. 21-24. In “American Dreams Derailed: Japanese Railroad and Mine Communities of the Interior West” (PhD diss., Arizona State University, 2003), Russell broadens his 1996 treatment of Issei railroad workers to embrace the Interior West region. After stating that in 1905 one-sixth of the Issei (11,783 out of 61,338) worked for railroads, he writes that initially most worked as trackmen in the northwestern and central mountain states. “However,” he concludes, “by 1906 the number of railroad workers had climbed to between 13,000 and 15,000 dispersed along virtually all of the major roads of the West. Thereafter, the ‘Gentlemen’s Agreement’ went into effect, causing a sharp decrease in Japanese railway workers by 1910. . . . The Union Pacific and other roads that traversed Wyoming, which once employed thousands, by then reported between 600 and 800 Japanese workers” (pp. 15-16).

21 In the peak year of 1906, some 13,000 Issei worked for the railroads.

22 See Iwata, *Planted in Good Soil*, p. 125.

23 See Russell, “American Dreams Derailed,” p. 3.

southern Wyoming towns in the late 1890s, most Japanese immigrants did not labor in coal and copper mining camps until the first decade of the twentieth century. “The first Japanese coal miners in Utah,” surmises Russell, “probably arrived in 1904, when 145 hired on at the Castle Gate Mine in Carbon County . . . [and] around this time, coal mining companies in southern Colorado and northern New Mexico also began to employ significant numbers of Japanese miners.”²⁴

It is the opinion of Masakazu Iwata that Japanese working in the coal mines of Colorado, New Mexico, and Utah experienced harsher treatment than did Issei laborers in the coal mining industry within Wyoming, where they were more numerous than in the other three states. Although Issei miners in Colorado, New Mexico, and Utah avoided wage discrimination and were paid roughly the same as other immigrant groups, they typically were disallowed union membership and were consigned to live in a “Jap Town” outside of the boundaries of a given community settlement; they were also regarded by other races and ethnic groups to be in the same category as blacks. Wyoming—which in 1909 was home for over 13 percent of the total 7,000 Japanese living in the Interior West region—permitted Nikkei (and Chinese) to become members of the United Mine Workers, and this development led to a shortened work day and higher wages for Asian workers compared to their counterparts elsewhere in the region.

Barbara Hickman, a historian of the Nikkei experience in Wyoming, has observed that by 1909 the Issei residents of that state were increasingly finding the conditions of railroad and mining life too harsh. At the same time, they began to shift their goals: rather than continue to live in deprivation in order to save money and then return to Japan, they sought to become permanent settlers in America. “For those who stayed in the U.S.,” writes Hickman, “savings went towards the establishment of small businesses and family farms. Issei, for the most part, quit the perilous railroad and mining industries by 1910 and [thereafter steadily] moved away from the state of Wyoming.”²⁵

In her work, Hickman seeks to rectify the fact that historians of Wyoming history have tended to restrict their treatment of the Japanese experience in the so-called “Equality State”²⁶ to their World War II incarceration at the Heart Mountain Relocation Center (whose peak population reached 10,767); the camp was located in the northwest corner of the state between the small communities of Powell and Cody.²⁷ Wyoming’s population of people of Japanese ancestry did decline from a 1910 figure of 1,596 (1.09 percent of the state’s total population of 145,965) to 1,194 in 1920 and 1,026 in 1930, dropping somewhat precipitously to 643 in 1940. Despite these falling numbers, Hickman does not feel that this justifies the fact that “the Japanese [have] quietly disappeared” from Wyoming’s

24 Ibid., 16. Nancy Taniguchi, in *Castle Valley America: Hard Land, Hard-won Home* (Logan, Utah: Utah State University Press, 2004), places the arrival of the first Japanese miners in Castle Valley, Utah, in 1901, when they replaced Italian immigrants in the multinational, multiracial, and semi-segregated workforce. In *Planted in Good Soil*, Masakazu Iwata maintains that “it was not until 1903 that the members of this race [Japanese] entered the mines of southern Colorado, New Mexico, and Utah, at which time they were introduced as strikebreakers” (p. 127). For a detailed historical treatment of the experience of Japanese miners within the multicultural coal industry of southern Wyoming, see Ellen Schoening Aiken, “The *United Mine Workers of America* Moves West: Race, Working Class Formation, and the Discourse of Cultural Diversity in the Union Pacific Coal Towns of Southern Wyoming, 1870-1930” (PhD diss., University of Colorado, 2002).

25 Hickman, “Japanese Railroad Workers in Wyoming,” p. 30.

26 This nickname for Wyoming—bestowed because in 1869 it became the first place in the U.S. where women were granted the right to vote—is a bit of a misnomer: in 1869 Wyoming was still a territory and did not become the nation’s forty-fourth state until 1890.

27 The literature on the Heart Mountain Relocation Center is voluminous. The most comprehensive nonfiction studies are Douglas W. Nelson’s *Heart Mountain: The History of an American Concentration Camp* (Madison, Wisc.: State Historical Society of Wisconsin for the Department of History, University of Wisconsin, 1976) and Mike Mackey’s *Heart Mountain: Life in Wyoming’s Concentration Camp* (Powell, Wyo.: Western History Publications, 2000). In addition, Gretel Ehrlich’s *Heart Mountain* (New York: Viking, 1988) represents an overview of this camp’s wartime experience from the perspective of a historical novelist. At present, there is no book extant that examines the overarching history of people of Japanese ancestry in Wyoming.

historical record.²⁸ To make her point, she not only references the existence of pre-1910 communities in Wyoming with a considerable population of Issei, but also documents those towns—such as Rock Springs in south central Wyoming²⁹— that boasted *nihonmachi* (Japantowns).³⁰

Montana shares Wyoming’s historical experience of having had a sizeable Nikkei population at the outset of the twentieth century that thereafter dwindled in the decades prior to World War II.³¹ In 1900 Montana’s Japanese population was 2,441, which then spiraled downward: 1,585 in 1910, 1,074 in 1920, 753 in 1930, and 508 in 1940; this drop was even more dramatic than the Nikkei population numbers in Wyoming. During World War II, the U.S. Department of Justice operated the Fort Missoula Internment Camp for enemy alien Italians and roughly 1,000 Japanese internees. Unfortunately, the camp’s existence and its place within the context of Japanese America’s defining event—wartime exclusion and detention—has seemingly overshadowed all other facets of the Nikkei experience from Montana’s historical narrative and collective memory.³²

The two-pronged cause prompting the mass exodus of Issei railroad and mining gang laborers from Wyoming and Montana was their desire to pursue agricultural employment as well as the comparative paucity of opportunities to do so within these neighboring states. Wyoming suffered the most dismal agricultural scenario; subject to extremely cold temperatures and generally considered to be semi-arid, it was “climatologically inhospitable to farming.”³³ According to Masakazu Iwata, while the great majority of Issei immigrants were toiling in the railroad and mining industries in the southwestern part of the state,³⁴ in northern Wyoming a much smaller number took

28 “Of all the ethnic groups attracted to southwestern Wyoming by employment opportunities in the coal mines and the railroad,” explains Hickman, “the Japanese immigrants are arguably least recognized. Few studies of cultural diversity in Wyoming even mention the presence of Japanese, choosing to focus on the European immigrants.” See, Hickman, “Japanese Railroad Workers in Wyoming,” p. 52.

29 Rock Springs, Wyoming, was the site of the Rock Springs massacre on September 2, 1885. The result of racial tensions between immigrant Chinese and white (primarily immigrant) miners growing out of an ongoing labor dispute, this event ended with at least 28 Chinese miners dead and another 15 wounded, plus property damage that included 75 Chinese residences burned.

30 Drawing upon oral history evidence provided by a 14-year-old who was living in Rock Springs in 1907, Hickman notes that its Japantown—then consisting of 272 people—had “two Japanese pool halls, two Japanese professional photographers, grocery and fish stores, a noodle restaurant, and a regular restaurant.” Its residents staged a public parade to celebrate the Meiji emperor of Japan’s birthday. Moreover, while conceding that most of the post-1910 Japanese-ancestry population in Wyoming continued to be connected to the railroad and mining industries, Hickman relates that with growing frequency Nikkei entered a wide range of occupations. See Hickman, “Japanese Railroad Workers in Wyoming,” pp. 2, 32, and 42.

31 “Most of the Japanese [preponderantly men],” writes historian William Lang, “had come to Montana during the late nineteenth century as railroad workers . . . [chiefly maintenance crew members for the Northern Pacific, Great Northern, and Union Pacific lines] and lived in railroad division-point towns such as Missoula [in the northwest] and Dillon [in the southwest].” See William Lang, “Alloyed Montana: Ethnic Components of a Twentieth-Century People,” in Michael P. Malone, ed., *Montana Century: 100 Years in Pictures and Words* (Guilford, Conn.: Globe Pequot Press, 1999), p. 86.

32 The only published volume spotlighting Nikkei history in Montana is Carol Van Valkenburg’s *An Alien Place: The Fort Missoula, Montana, Detention Camp 1941-44* (Missoula, Mont.: Pictorial Histories Publication Company, 1995). For two other books covering Nikkei internment at Fort Missoula, see: Yoshiaki Fukuda, *My Six Years of Internment: An Issei’s Struggle for Justice* (San Francisco: Konko Church of San Francisco, 1990); and Louis Fiset, *Imprisoned Apart: The World War II Correspondence of an Issei Couple* (Seattle: University of Washington Press, 1998). Within the literature on Japanese Montanans, there is not even a counterpart to a periodical article such as Robert Swartout’s on the Chinese experience in Montana: “Kwangtung to Big Sky: The Chinese in Montana, 1864-1900,” *Montana: The Magazine of Western History* 38 (Winter 1988): 42-53.

As in the case in Montana, the placement of an enemy alien internment camp near Bismarck, North Dakota, during World War II (Fort Lincoln, whose Japanese-ancestry population numbered more than 1,800) has resulted in this one momentous chapter of the Japanese experience in North Dakota so overshadowing the rest of the state’s Nikkei story as to render it practically nonexistent. Whereas diverse dimensions of Fort Lincoln’s wartime situation have been featured in a book (Hyung-ju Ahn, *Between Two Adversaries: Korean Interpreters at Japanese Alien Enemy Detention Centers during World War II* [Fullerton, Calif.: Oral History Program at California State University, Fullerton, 2002]); a museum exhibition (*Snow Country Prison: Interned in North Dakota*, curated by Laurel Reuter and exhibited in Bismarck, North Dakota, at United Tribes Technical College, 2003); and a documentary film (Satsuki Ina, producer/co-director, *From A Silk Cocoon: A Japanese American Renunciation Story* [San Francisco: Center for Asian American Media, 2005]), there are no media representations whatsoever of any other aspects of the Japanese historical presence in North Dakota.

33 Hickman, “Japanese Railroad Workers in Wyoming,” p. 32.

34 See A. Dudley Gardner, “The Japanese in Southwest Wyoming,” http://www.wvcc.sy.edu/wyoz_hist/Japanese.htm (accessed July 11, 2009).

up farming in the Powell and Worland districts and around the town of Sheridan.³⁵ Most of the farmers remaining in Wyoming after 1910 found work as gang laborers in the northern sugar beet fields, although the majority of Issei agricultural workers migrated to such nearby Interior West states as Colorado, Nebraska, and, in particular, Idaho, for employment in those states' respective sugar beet operations.³⁶

The Japanese agricultural story in Montana, as Iwata has recorded, played out differently from that in Wyoming—and the primary factor in that difference was not climate, but racism. Very early in the twentieth century, as Japanese immigrant railroad workers began to seek other employment (due in part to the hostility they encountered from white laborers), they were recruited to work on labor gangs in the state's burgeoning sugar beet industry. By 1907 Issei had gained invaluable experience farming sugar beets, and they began raising this crop on land they controlled either as owners, or more generally, as leaseholders; most of these farms were located in south-central Montana, just north of Wyoming's border, around communities like Joliet, Park City, Bridger, and Fromberg. Shortly after World War I (which swelled Montana farm profits), Issei farmers began growing other crops (e.g., potatoes, melons, onions, and cabbage) as well as sugar beets. Issei also launched farming ventures in northwest Montana near the town of Whitefish, with some cultivating crops previously deemed not feasible for the area (such as celery and lettuce), and some abandoned vegetable production altogether for dairy farming. By 1923, anti-Asian sentiments were formalized in the form of an alien land law modeled on the one imposed in California; its strict enforcement both prohibited white landowners from leasing farmland to aliens ineligible for citizenship (i.e., Japanese and Korean immigrants) and persuaded many Issei to either stop farming in Montana or move, as many of their compatriots already had, to more accommodating Interior West states (in particular, Utah, Colorado, Nebraska, and Idaho)³⁷ and there pursue their agricultural aspirations.³⁸

The history of the sugar beet industry in the Interior West is too complicated to be discussed in much detail here,³⁹ but since it was of paramount importance to the frontier and settlement stages of Nikkei in this region, a few basic facts are in order. (Thankfully, Masakazu Iwata has admirably tackled how and to what extent the sugar beet industry influenced the development of Nikkei agriculture and community building in not only Colorado, Idaho, Nebraska, and Utah,⁴⁰ but also in such other Interior West states as Arizona, Kansas, Montana, New Mex-

35 Iwata, *Planted in Good Soil*, pp. 604-05. See also, Cynde Georgen, "Subjects of the Mikado: The Rise and Fall of Sheridan County's Japanese Community, 1900-1930," <http://www.rootsweb.ancestry.com/~wyoming/ar-sheridanmikado.htm> (accessed July 11, 2009)

36 Hickman, "Japanese Railroad Workers in Wyoming," p. 33.

37 Thus, all four of these states experienced increased Japanese populations between 1910 and 1920—Colorado, 2,300 to 2,464; Idaho, 1,263 to 1,569; Nebraska, 590 to 804; Utah, 2,100 to 2,956— even after the passage of the 1908 Gentlemen's Agreement, by which the Japanese government agreed to limit issuance of continental passports to non-laborers; former residents; parents, wives, or children of residents; or settled agriculturists (i.e., those who wished to assume active control of an already possessed interest in a mainland farming enterprise). See Hickman, "Japanese Railroad Workers in Wyoming," p. 47.

38 The information about Japanese farming in Montana is drawn from Iwata, *Planted in Good Soil*, pp. 605-07.

39 For a baseline study pertaining to this topic, see Leonard J. Arrington, *Beet Sugar in the West: A History of the Utah-Idaho Sugar Company, 1891-1966* (Seattle: University of Washington Press, 1966). See also four articles on this same topic that appeared in volume 41 (January 1967) of *Agricultural History*: Leonard Arrington, "Science, Government, and Enterprise in Economic Development: The Western Beet Sugar Industry," pp. 1-18; Paul S. Taylor, "Hand Laborers in the Western Sugar Beet Industry," pp. 19-26; Gerald D. Nash, "The Sugar Beet Industry and Economic Growth in the West," pp. 27-30; and Wayne D. Rasmussen, "Technological Change in Western Sugar Beet Production," pp. 31-36.

40 For a discussion about Colorado, see Iwata, *Planted In Good Soil*, pp. 634-69, especially pp. 634-45 and 661-63; for Idaho, see *ibid.*, pp. 615-24, especially pp. 616 and 622-24; for Nebraska, see *ibid.*, pp. 607-614, especially p. 609; and for Utah, see *ibid.*, pp. 595-604, especially pp. 595-99, 601, and 603-04.



ico, South Dakota, Texas, and Wyoming.⁴¹)

The research and development phase of the industry—which primarily took place in Utah under the guidance of Mormon Church agricultural supervisors—was effectively completed by 1897; between 1898 and 1920, abetted by irrigation practices and the securing of sufficient labor throughout the region, the industry experienced tremendous expansion.⁴² Working in labor gangs, thousands of Issei dominated the handwork done in the regional sugar beet fields during the twentieth century’s opening decade. (As succinctly described by Masakazu Iwata, in *Planted in Good Soil*, “handwork” in the sugar beet fields consisted of “the bunching and thinning, the arduous hoeing, and the back-breaking work of topping and loading.”⁴³) By about 1920, however, most sugar beet hand laborers were Mexican immigrants.⁴⁴ This change occurred because Issei bachelors began to nurture a family-based Nikkei society here in the United States, in part due to both the Gentlemen’s Agreement of 1908 and the Immigration Act of 1924; they began to marry and bring relatives over from Japan. As Eric Walz writes, they “chose to move as quickly as possible from the ranks of the common laborer to operating their own farms and businesses.”⁴⁵

Not all Issei laborers who exchanged railroad and mining employment for agricultural pursuits in the Interior West migrated to this region from within the continental U.S., nor did these migrants always enter farming in their new locations via the sugar beet industry.⁴⁶ One way of giving these abstract points concrete embodiment is through examining a case study, that of the Japanese experience in El Paso, Texas. Invaluable to this case study is work done by two past graduate students at the University of Texas, El Paso: the first by a Japanese social scientist,

41 The situation in Arizona is discussed in *ibid.*, pp. 672-701, particularly pp. 674-75; for Kansas, see *ibid.*, pp. 614-15; for Montana, see *ibid.*, pp. 605-07; for Nevada, see *ibid.*, pp. 624-26; for New Mexico, see *ibid.*, pp. 701-08, particularly pp. 702-03; for South Dakota, see *ibid.*, p. 755; for Texas, see *ibid.*, pp. 717-41, particularly pp. 734-35; and for Wyoming, see *ibid.*, pp. 604-05. Of the 14 Interior West states, Iwata fails to mention only Oklahoma and North Dakota relative to the Japanese role in sugar beet agriculture. However, he does state that “in the Dakotas, statistics indicate that the Japanese population in North Dakota was from the earliest years greater than that of South Dakota because of the entry of railroad, mine, and farm workers from the neighboring state of Montana” (*ibid.*, p. 755).

42 Historian Leonard Arrington observes that in the 1898-1913 interval, a total of 86 new beet factories were built, more than half by 1903, involving an \$80 million investment (“Science, Government, and Enterprise in Economic Development,” p. 10). In “Japanese Settlement in the Intermountain West” Eric Walz, being more pointed, writes that in the states of “Colorado, Idaho, Nebraska, and Utah, sugar beet acreage expanded from a total of 168,425 acres in 1910, to 506,200 acres in 1920 [and that] the number of sugar factories in those same four states increased from ten in 1900, to forty-nine in 1920, while the total tonnage of sugar beets produced . . . grew from 39,385 tons in 1901 to 4,779,00 tons in 1920” (p. 2).

43 Iwata, *Planted in Good Soil*, p. 167. For a detailed account of sugar beet handwork, including a recollection by an Issei who experienced it, see Eric Walz, “Masayoshi Fujimoto: Japanese Diarist, Idaho Farmer” (master’s thesis, Utah State University, 1994), pp. 16-17.

44 Taylor, “Hand Laborers in the Western Sugar Beet Industry,” p. 22. For the role of Mexican labor in the Interior West sugar beet industry in the states of Wyoming and Colorado, see, respectively, Augustin Redwine, “Lovell’s Mexican Colony,” http://uwacadweb.uwyo.edu/RobertsHistory/lovells_Mexican_colony.htm (accessed July 13, 2009); Barbara Hawthorne, “Mexican American Cultural History,” http://library.ci.fort-collins.co.us/Local_history/topics/Ethnic/mexican.htm (accessed July 13, 2009).

45 Walz, “From Kumamoto to Idaho,” pp. 408-09.

46 For a useful multicultural study focused on the sugar beet industry within the Interior West, see R. Todd Welker, “Sweet Dreams in Sugar Land: Japanese Farmers, Mexican Farm Workers, and Northern Utah Beet Production” (master’s thesis, Utah State University, 2002). Welker’s scholarship builds upon three published studies of the sugar beet industry in Utah and Idaho—Arrington’s *Beet Sugar in the West: A History of the Utah-Idaho Sugar Company, 1891-1966*; J. R. Bachman, *Story of the Amalgamated Sugar Company 1897-1961* (Caldwell, Ida.: Caxton, 1962); and Fred G. Taylor, *A Saga of Sugar: Being a Story of the Romance and Development of Beet Sugar in the Rocky Mountain West* (Salt Lake City: Utah-Idaho Sugar Company, 1944)—and a newer unpublished work on the same subject: John L. Powell, “The Role of Beet Growers in the Cache Valley Sugar Beet Industry 1891-1981” (master’s thesis, Utah State University, 1995). Whereas the books by Arrington, Bachman, and Taylor are written, as their titles may indicate, from the perspective of the sugar companies, Powell’s thesis generally embodies the point of view of the white, Mormon beet growers. As for Welker’s thesis, it approaches the topic from the frame of reference of two racial-ethnic groups—Japanese/Japanese Americans and Mexicans/Mexican Americans—involved within a single sugar beet farming community in northern Utah.

Tsuyako Miyasato, and the second by an American historian, Christe Celia Armendariz.⁴⁷

Most Issei migrants to El Paso, the largest city along the 2,000-mile U.S.-Mexico border, traveled either from Mexico or from diverse parts of the continental United States. After experiencing difficulty entering America from Mexico during 1906-1907, owing to widespread fears in the U.S. of a so-called “Japanese Invasion,” Issei laborers resorted to smuggling themselves across the border into El Paso, where Texas officials welcomed them because of their reputed agricultural expertise. When the Mexican Revolution erupted in 1910, the United States suspended its immigration laws in order to provide Nikkei refuge from Mexico. Thereafter, the refugees—primarily ex-railroad laborers in Mexico—formed the cornerstone of a small yet flourishing Japanese colony in El Paso.

Texas did not impose an anti-Japanese alien land law until 1921, so prior to that date the Japanese population in the city and the surrounding valley of El Paso grew steadily as Nikkei farmers availed themselves of the twin opportunities to farm their own land and to become permanent settlers. The first Issei to purchase land in El Paso did so in 1914, and just two years later El Paso had 44 Japanese residents. By 1920 Issei farmed—mainly as leaseholders—one-fifth of El Paso Valley’s 50,000 acres of fertile land, and by the next year there were 125 Japanese who owned 70 acres and leased another 5,000 acres proximate to the city. Cantaloupes were the chief crop, although it later suffered devastation by nematodes (i.e., roundworms).

A number of Issei men who came to El Paso not only married Mexican women, but they also adopted Spanish first names; thus, Ryiochi Okubo became José Okubo. During the 1930s, the El Paso Nikkei population swelled due to those who moved to Texas to escape the unbearable racism leveled against those of Japanese ancestry on the West Coast and in Mexico. Then, too, in the 1930s, as the actions of the fascist Japanese government became manifest in the media, some Japanese El Pasoans sought to protect themselves by changing their Japanese surnames to Mexican ones.⁴⁸ Of the 38 Nikkei who made El Paso their home during World War II, the majority escaped confinement in concentration camps, while El Paso Valley’s mainstream population and their organizations refrained from publicly demanding the wholesale removal of its Japanese-ancestry residents. When the war ended, however, the Japanese in El Paso became the victims of racial hatred, and this persecution drove many to move to other parts of the U.S.⁴⁹

Unlike Armendariz, who chiefly builds her account of El Paso’s early Nikkei community from local newspaper articles, Miyasato relies heavily upon oral history interviews to construct her community narrative. Because these life stories provide a window through which to apprehend the special character of the Japanese El Pasoans and the complex ways they became embedded in the history, culture, and society of the Interior West region, they merit careful attention. The following representative sample focuses on Mansaku Kurita, an Issei man, but it also captures his Issei wife Teru’s experiences.

47 See Miyasato Tsuyako, “The Japanese in the El Paso Region” (master’s thesis, University of Texas at El Paso, 1982); and Christe Celia Armendariz, “Inconspicuous but Estimable Immigrants: The Japanese in El Paso, 1898-1948” (master’s thesis, University of Texas at El Paso, 1994). A note: the author’s name on the title page of the first of these studies follows the Japanese practice of placing the surname before the given name; however, all references made to this source will follow the practice in English of a given name preceding the surname. For additional information on the early Japanese community in El Paso, see Beverly Ramirez, Kenneth Kurita III, and Elvi Nieto, “Japanese Immigration Came Slowly to Borderland,” *Borderlands: An El Paso Community College Local History Project*, <http://www.epcc.edu/nwlibrary/borderlands/26/japanese.htm> (accessed July 26, 2009); with respect to the World War II experience of the Nikkei community in El Paso, see Beverly Ramirez and Elvi Nieto, “World War II Affected Japanese Immigrants,” *Ibid.*

48 See Armendariz, “Inconspicuous but Estimable Immigrants,” pp. 18-44 passim.

49 See *ibid.*, 105-15 passim.

Around 1910, Mansaku Kurita came to El Paso through Mexico. He once worked for the railroad company, [and] then he started farming in Colorado. . . . In Colorado, he was in real good shape financially, but he got wiped out when his crops failed, so his friend Kuniji Tashiro called him in 1928 to come to New Mexico and farm there for a year. Then he came to El Paso. By the time he settled down in El Paso, he was financially secure. Mansaku married Teru, a woman from Shizuoka [Japan], who was about five years younger than he. When Mansaku called for Teru, she lived in Kansas. Teru had a college education and taught school in Japan. Later she worked as a midwife to many Mexicans in El Paso, and was known as the mother of El Paso.⁵⁰

For Nikkei, life in Arizona pre-World War II and during the war was markedly different from that in Colorado in important respects. By 1910 Colorado had some 2,500 Japanese immigrants, while fewer than 400 people of Japanese ancestry resided in Arizona; by 1940 Colorado claimed close to 3,225 Nikkei and Arizona nearly 900. The prewar distribution of these two states' Nikkei populations was also very different. Most Japanese Coloradans were scattered around their state in modest-sized farming communities; there was also a comparatively dense cluster in the area of Denver, where they were supported by the budding Japantown located within the city's deteriorated core. In contrast, Japanese Arizonans—who were primarily agriculturalists—congregated in the Salt River Valley's Maricopa County, in central Arizona, where they found rudimentary ethnic support systems in Phoenix, Glendale, Tempe, and Mesa.

Another distinguishing feature differentiating life for Japanese in Arizona and Colorado during this era is that Nikkei in Arizona had to contend with a greater degree of legal and extralegal prejudice, discrimination, and out-right racism than those residing in Colorado. This is not to say that Colorado's anti-Japanese climate was mild or sporadic—in fact, it was both severe and unremitting, as historian Kara Miyagishima has copiously documented. In the early twentieth century, because Colorado's laboring class generally viewed “little yellow men” from the Far East to be “invading” their state and, as railroad, mining, and farm workers, they were felt to be posing unfair employment competition. To counter this perceived problem, labor groups excluded them by creating associations such as the Japanese and Korean Exclusion League founded by the Colorado State Federation of Labor in 1908. Even after the Issei bachelors progressively transformed the Nikkei population within Colorado from one dominated by mobile laborers with a bird-of-passage mentality to one characterized by stabilized family-based farm and commercial enterprises, nativist groups organized against the Nikkei to hinder their ascent of the social and economic ladder. “Like the Negroes of the South,” writes Miyagishima, “the Japanese were accepted without rancor only so long as they remained in their place.”⁵¹ In Denver, where by 1920 some 85 percent of the population

50 Miyasato, “The Japanese in the El Paso Region,” p. 21. Although the names in this mini-biography were rendered in the Japanese mode—family names preceding given names—they have been reversed to reflect the American naming style.

Miyasato's study of the Japanese in El Paso does not end with World War II, an event that “fragmented psychologically the small number of Japanese living in the region.” Instead, she reveals how a new El Paso Nikkei community was formed in the post-World War II years by an amalgam of Japanese Americans, Japanese-Mexicans, and Japanese war brides who, during World War II, the Korean War, and the Vietnam War, came in substantial numbers from Japan (where they met and married American soldiers—including, increasingly, African Americans—stationed there) to live in the El Paso area with their husbands at the nearby Ft. Bliss military base. See *ibid.*, pp. 38 and 38-92 *passim*, especially 38-53.

51 Kara Mariko Miyagishima, “Colorado's Nikkei Pioneers: Japanese Americans in Twentieth Century Colorado” (master's thesis, University of Colorado, Denver), p. 124. Miyagishima's study and another recent work by the late Bill Hosokawa—*Colorado's Japanese Americans from 1886 to the Present* (Boulder, Colo.: University Press of Colorado, 2005)—cover the same general historical territory. However, Hosokawa does so in an episodic, anecdotal, and engagingly colorful and palpable way without benefit of footnotes, while Miyagishima fashions a narrative featuring lineal chronological development, exacting factual detail, contextual amplification, extensive documentation, and clear writing. Accordingly, these two texts very nicely complement one another in style as well as content.

was native-born, restrictive covenants and similar segregating mechanisms were imposed, leaving only the city's Skid Row area open for residency by Nikkei and other people of color. With the onset of World War II, Colorado—and Denver, in particular—experienced a large infusion of Nikkei from the West Coast. Many arrived in Colorado during the period of “voluntary evacuation” and afterwards, with a large number settling there as a consequence of temporary work leaves and semipermanent resettlement from the WRA camps.

With an increase in Nikkei residents came a sharp increase in anti-Japanese sentiment and activity. The state's major newspaper, the *Denver Post*,⁵² became America's most venomous journalistic purveyor of Nikkei race-baiting. It pervasively promoted the notion that Japanese Americans “were not genuine U.S. citizens, but unassimilable and untrustworthy,” unacceptable even to harvest the state's direly endangered sugar beet crop, and altogether unwanted in Colorado without strict federal and military supervision and control. The *Post* also helped to provoke a rising wave of vigilante violence against Nikkei and championed the 1944 campaign mounted for a state constitutional amendment to restrict land ownership by alien Japanese residents (as well as East Indians, Malaysians, and Filipinos).⁵³

But the anti-Japanese movement in Colorado, from the early twentieth century through World War II, always had to contend with countervailing forces. Some came from within the Nikkei community, which possessed sufficient numbers to command the Japanese government's attention and to capitalize upon its considerable international power and influence. Nikkei had also developed an institutional network that could resist—or at least deflect—oppressive measures and campaigns designed to inflict damage upon or destroy Japanese Colorado. Thus, in 1908, to protect the interests of Japanese against the Colorado State Federation of Labor's Japanese and Korean Exclusion League and similar organizations, the state's Issei established, in Denver, the Japanese Association of Colorado. Along with other Japanese Association branches that developed throughout Colorado, it concurrently forged political ties to the Japanese government and encouraged the assimilation of Japanese Coloradans. This situation no doubt was a key reason why Colorado, unlike most other Interior West states, did not institute an anti-Japanese alien land law.

Although an attempt was made to do precisely that during World War II—at a point when mainstream negative feeling toward the Nikkei was at its zenith—via a state constitutional amendment, what transpired showed that the Japanese American community could count on countervailing support on its behalf outside the boundaries of its ethnic subculture. In seeking to counteract the drive for the amendment, which was spearheaded by the American League of Colorado in conjunction with such other supporters like the Colorado Veterans of Foreign Wars and citizens of Brighton and Adams counties (most of whom were truck drivers of Italian descent), the Nikkei were aided by a diverse array of backers. Organizations who sided with the Japanese in opposition to the amendment included a Citizens Emergency Committee formed by ministers and educators (with a statewide executive committee made up of prominent citizens), which disseminated its message via public meetings, newspapers, and radio; the Denver Council of Churches; the Denver YWCA; the Colorado State League of Women Voters; the Denver-headquartered National Civic League; the Cosmopolitan Club, a student organization at the University of Colorado; the Rocky Mountain Farmer's Union; and mainstream newspapers like the *Rocky Mountain News* and the *Pueblo Star Journal and Chieftain*, as well as vernacular newspapers such as the *Intermountain Jewish News* and the *Colorado Statesman* and the *Denver Star* (both of which were African American publications). As a result of this diverse

52 For an assessment of the *Denver Post*'s anti-Nikkei campaigns, see Kumiko Takahara, *Off the Fat of the Land: The Denver Post's Story of the Japanese American Internment during World War II* (Powell, Wyo.: Western History Publications, 2003).

53 See Miyagishima, “Colorado's Nikkei Pioneers,” pp. 57-178 passim, but especially pp. 57-60, 122-26, and 175-78.



support, the amendment was defeated.⁵⁴

The smaller number of Issei in pre-World War II Arizona—as well as the state’s proximity to California, where anti-Japanese emerged earliest and most intensely—made Japanese Arizonans more vulnerable than Japanese Coloradans to racist mainstream attacks. Thus, as Eric Walz has documented, beginning in 1913, the state’s Nikkei farmers had to contend with the alien land law that Arizona (following California’s lead) passed that year; this law forbade members of racial groups ineligible for U.S. citizenship, which included the Japanese, from purchasing land but did permit them to enter into leasing arrangements.⁵⁵ An attempt was made in 1921 to legally close this loophole, although Issei circumvented the new law by leasing land in their children’s names or through non-Japanese landlords and neighbors. Still, the Issei were swimming against the tide of public opinion, for “non-Japanese farmers in Maricopa County,” to quote Walz, “resented competition from Japanese immigrants . . . and accused the Japanese of using unfair labor practices (Japanese wives and children worked in the fields), of paying too much in rent, and of taking up the best farmland in the [Salt River] valley.”⁵⁶

In late 1923, the Maricopa County Farm Bureau’s president forwarded Arizona’s governor a Farm Bureau resolution opposing creation of a Japanese population with the potential to “expand in time and prove to be undesirable residents” and requesting “a strict enforcement of the Arizona Statute which forbids the selling to [Japanese] or leasing of farming lands in this state.”⁵⁷ In reply, the governor promised to urge the state attorney general and the county attorneys to strictly enforce the laws. Notwithstanding this official resolve to see that the alien land law’s spirit as well as its letter were respected, the Issei community was “cohesive enough to defend itself”: while Japanese immigration was slowed, “the number of Japanese farm operators in Arizona increased from sixty-nine in 1920 to 121 in 1930.”⁵⁸

By the early 1930s, with the Depression in full swing, this situation was reversed. In that dire economic climate, the market value of agricultural products was slashed, and a series of circumstances led to Japanese farmers essentially monopolizing cantaloupe production. They also enjoyed a bumper crop that, confronted by very little competition, brought windfall profits even as Maricopa County’s non-Japanese farmers, who had reduced their sideline cantaloupe acreage, were hit by dismal returns for their principal cotton and alfalfa crops. As a consequence, strong anti-Japanese sentiments—including enforcement of the alien land laws—came to the fore once again. The capstone to this escalating racist climate was the explosive situation that Eric Walz has so graphically depicted:

On August 16, 1934, 600 Caucasian farmers met in Glendale to decide how to rid the [Salt River] valley of their Japanese competitors. At a rally the following day, more than 150 cars paraded through town. One carried a banner that read:

WE DON’T NEED ASIATICS
JAP MOVING DAY AUGUST 25TH, WE MEAN IT

54 Ibid., pp. 177–8. It should be noted, however, that the legislative vote on the measure (the Senate’s narrow victory margin of 15 to 12 and the House’s overwhelming repudiation of 48 to 15) highlighted the prevalence of anti-Japanese sentiment in Colorado.

55 Eric Walz, “The Issei Community in Maricopa County: Development and Persistence in the Valley of the Sun, 1900–1940,” *Journal of Arizona History* 38 (Spring 1997): 1–22.

56 Ibid., pp. 8–9.

57 Ibid., pp. 9–10.

58 Ibid.



MOVE OUT BY SATURDAY NOON AUGUST 25TH
OR BE MOVED

Over the next few weeks nativists and their minions flooded Japanese farms, bombed Japanese homes, pushed pick-ups owned by Japanese farmers into irrigation canals, and fired shots at Japanese farmers who tried to protect their growing crops.⁵⁹

A bloody catastrophe was prevented by timely intervention by the general community's educational and religious leaders, Arizona Japanese Association lobbying efforts, and the local Japanese community's appeals to the Japanese consulate. However, in the long run persecution was halted by economic pragmatism: the Mitsubishi Company, a large Southwest cotton purchaser, warned that the price of persisting violence against Japanese farmers would be the loss of cotton contracts; the U.S. government also made it clear that federal water projects for Arizona would be put at risk should the maltreatment of Japanese farmers continue. But the damage had already been done. "While few Japanese farmers actually left the valley as a direct result of violence," concludes Walz, "discrimination and depression reduced their numbers in Arizona from 121 in 1930 to 52 by 1940."⁶⁰

In prewar Arizona's towns and cities there also existed racist feelings toward Nikkei (as well as other people of color) which had hardened into customs and institutional practices. Susie Sato, an Arizona native reared in Lehi, a small Mormon community in the central part of the state, has testified that while the kindness of Mormon neighbors mitigated prejudice against her Nikkei family, she encountered discrimination at movie theaters and swimming pools in the municipalities surrounding her hometown. Nikkei, along with other Asian Americans, Mexican Americans, African Americans, and Native Americans, "were not permitted to swim in the Tempe public pool, and throughout the [towns of the] Phoenix area, movie theaters practiced a strict policy of segregation."⁶¹

The Japanese Arizona World War II experience has been assayed by two historians, both working at Arizona universities: Charles Ynfante at Northern Arizona University and Andrew Russell at Arizona State University. Their work on this topic has in common the fact that both consider it within the context of Arizona's overall home-front experience during World War II.⁶² Russell's article in *Arizona Goes to War: The Home Front and the Front Lines during World War II*, co-edited by Brad Melton and Dean Smith, is not very compatible with the celebratory tenor of the anthology. Smith, for example, observes that World War II "brought about amazing changes in Arizona's economy," and he suggests that these changes were matched by Arizona's "improvement in race relations." To support his contention, he does not emphasize changes occurring during or immediately after the war, instead

59 Ibid., pp. 10-11.

60 Ibid., p. 12.

61 See Vicki S. Ruiz, "Tapestries of Resistance: Episodes of School Segregation in the Western United States," in Peter F. Lau, *From the Grassroots to the Supreme Court: Brown v. Board of Education and American Democracy* (Durham, N.C.: Duke University Press, 2004), p. 55. See also the following sources: Susie Sato, "Before Pearl Harbor: Early Japanese Settlers in Arizona," *Journal of Arizona History* 14 (Winter 1973): 317-34; Mesa Historical Museum, "Mesa Leadership Talk with Angy Booker, Celia Burns, and Susie Sato," audio recording, November 1, 2003 at the Mesa Historical Museum in Mesa, Arizona; and Valerie Matsumoto, "Shigata Ga Nai": Japanese American Women in Central Arizona, 1910-1978" (senior honors thesis, Arizona State University, Tempe, 1978); and Valerie J. Matsumoto, "Using Oral History to Unearth Japanese American History," presentation at Japanese Americans in Arizona Oral History Project Workshop, Arizona State University, Tempe, November 8, 2003.

62 See Charles Ynfante, "Arizona during the Second World War, 1941-1945: A Survey of Selected Topics" (PhD diss., Northern Arizona University, 1997), later revised and published as *The Transformation of Arizona into a Modern State: The Contribution of War to the Modernization Process* (Lewiston, N.Y.: Mellen Books, 2002); and Andrew B. Russell, "Arizona Divided," in Brad Melton and Dean Smith, eds., *Arizona Goes to War: The Home Front and the Front Lines during World War II* (Tucson: University of Arizona Press, 2003), pp. 38-55.

focusing on ones that, while catalyzed by the war, did not materialize until later in the postwar period.⁶³ “Even the Japanese Americans,” contends Smith, “[who were] vilified after Pearl Harbor and herded into relocation centers, gained new acceptance after the war as Arizonans increasingly embraced the ideal of cultural diversity.”⁶⁴ While Russell’s narrative and sidebars are not without some triumphalism, he does not shield readers from the darker aspects of the wartime exclusion and detention experience in Arizona. Thus, at one point, he writes:

Within a few short weeks [after Pearl Harbor] the climate of tolerance evaporated [in Arizona]. By March of 1942 the southern half of Arizona (including much of Maricopa County) became part of the huge military zone from which all Japanese Americans were to be evacuated. Military planners at the headquarters of the WDC [Western Defense Command] ultimately drew the exclusion line that cut across Arizona, but Arizona forces probably played a significant role in the shaping of evacuation policy within the state. Considering the high levels of anti-Japanese antagonism that had surfaced during the Salt River War [in 1934], it is not difficult to imagine that some Arizonans would have jumped at an excuse to finally rid the valley of Japanese farmers. Governor [Sidney P.] Osborne’s collected papers and state newspapers bear witness to the steady growth of anti-Japanese sentiment in wartime Arizona.⁶⁵

Russell indicates, too, how the Arizona press barely even paid attention to the U.S. government-sited concentration camps in Arizona for incarcerating Nikkei.⁶⁶ When newspapers did write about the Japanese they “tended to be negative,” as headlines such as “[Gila] River’s Japs Take 600 Jobs” and “[Officials] Forbid Japs to Leave Camps Lest Hostile Acts Occur” confirm. Russell also describes specific developments about the Nikkei presence in wartime Arizona that incited negative press coverage.⁶⁷ Finally, he floats this mordant note: “Japanese Arizonans can recount few if any pleasant memories of World War II.”⁶⁸

As for Charles Ynfante’s study of World War II Arizona, it tests historian Gerald Nash’s thesis that the war transformed the western region into a modern economy by applying it to a western state Nash largely neglects in

63 Smith cites, for example, a desire by Native Americans to “broaden their horizons” and the breakdown of segregation for African Americans and Mexican Americans (along with Raul Castro’s 1974 gubernatorial election). In 1962, the United States Commission on Civil Rights (USCCR), which five years earlier Congress had established “to document disparities in the rights, laws, and social experiences of those deprived of rights and legal recourse as a result of race, color, religion, or national origin,” made Phoenix its first urban metropolis study site, “because of its tremendous growth, the diversity of its minority groups, and because it is a city where there are few, if any, antidiscrimination laws, and where progress in the realization of civil rights has reportedly been made.” However, after hearings held in Phoenix, the USCCR discovered that Arizona’s largest city, whose population had exploded from 65,000 to 440,000 between 1940 and 1960, and contained a modest “Oriental” and “Indian” population, a substantial number of “Negroes,” and a large, rapidly growing “Mexican American” community, had as late as the 1950s segregated schools, theaters, and even many restaurants—sometimes with the force of law. See Tom I. Romero, “Of Race and Rights: Legal Culture, Social Change, and the Making of a Multicultural Metropolis, Denver 1940-1975” (PhD diss., University of Michigan, 2004), pp. 253-55, which compares the findings of the USCCR in Denver with those in other western urban centers such as Phoenix.

64 Dean Smith, “Conclusion,” in Melton and Smith, *Arizona Goes to War*, 178-79.

65 Russell, “Arizona Divided,” pp. 44, 46.

66 Arizona’s detention facilities included Mayer Assembly Center, Poston and Gila River Relocation Centers, Leupp Isolation Center, and Catalina Federal Honor Camp, which collectively imprisoned upward of 35,000 Nikkei, far more than in any other Interior West state during World War II.

67 Specific developments mentioned by Russell include the following: when a profit-making cooperative at the Gila River camp was established in 1942; when the War Relocation Authority [WRA] instituted a policy allowing those behind barbed wires to accept temporary jobs or long-term employment outside the military zone (especially in the Intermountain states); when, in mid-summer 1943, “a team of army investigators from WDC had to travel to Phoenix . . . because some Arizonans had blamed ‘Japanese sabotage’ for fires that consumed two produce-packing sheds”; and when, in 1944, the federal government lifted West Coast exclusion orders and announced the imminent closing of the WRA camps, thereby causing “renewed concerns that the camp populations might try to settle in Arizona.”

68 Ibid., 53-55.

his scholarship—Arizona.⁶⁹ Additionally, Ynfante explores the wartime experiences of Native Americans, African Americans, Japanese Americans, and Mexican nationals (but not Mexican Americans) to determine whether Nash is right in judging World War II a watershed for Arizona’s racial-ethnic minorities. While conceding that Nash is correct in concluding that Arizona experienced a major turning point economically during and after the war, Ynfante enters this caveat:

At the same time, Arizona’s dominant Anglo society was generally racist toward its resident minority groups. Perhaps Nash should have made further inquiry into the social experiences of this southwestern state before making his optimistic assessment about the war’s impact upon minority groups in western society. Had he done so, he would have found that Arizona was laggard in improving its own racial relations. Arizona is as vital a state as any in the western region. Its experiences deserve exploration that penetrates deeper than Nash’s general assessment.⁷⁰

Ynfante’s closing words nicely lend themselves to appropriation and reapplication here. Directly put, they can be used to support the argument that the Interior West experience of Japanese Americans is as vital as that for any other region of the United States, and that it deserves a much deeper exploration by dedicated students of Nikkei history, society, and culture than it has received to date.

This essay has thus far examined how scholars from varying disciplines have, in recent years, supported a deeper exploration of the Interior West Nikkei experience from pioneering days through World War II. Let us now briefly explore recent scholarship pertaining to the post-World War II experience of Interior West Nikkei. A strategic starting point is a 2006 study done by Joel Tadao Miyasaki.⁷¹ The larger and direct concern of Miyasaki—who describes himself as “the son of a Japanese American father and a white mother”—is Nikkei identity in Utah and Idaho during the World War II exclusion and detention experience of Japanese Americans (and, indirectly, for Nikkei generally in the period since World War II).⁷²

Miyasaki’s study has a three-part theoretical base: first, it draws on a concept from sociologists Michael Omi and Howard Winant, that “historical circumstances influence the process of ‘racialization,’ the creation of racial identity [and that] this identity in turn affects the way that historical actors live and make decisions within any particular moment in time”⁷³; second, it explores the idea from historian George Sánchez, “that cultural adaptation affects identity [which] occurs when ethnic groups encounter the dominating influence of white society”⁷⁴; and third, it examines the concept, put forth by historian Lisbeth Haas, that “history occurs both in time and space [and] power relationships [are] formed by different groups as they enter a particular space and attempt to manipulate that space for their own purposes.”⁷⁵

69 See Gerald D. Nash, *World War II and the West: Reshaping the Economy* (Lincoln, Neb.: University of Nebraska Press, 1988) and *The American West Transformed: The Impact of the Second World War* (Bloomington, Ind.: Indiana University Press, 1985).

70 Ynfante, “Arizona during the Second World War,” p. 317; for Ynfante’s evaluation of the Japanese American experience in World War II Arizona, see Chapter 8, pp. 208-39, in which he baldly states that “the legacy of Japanese internment is deplorable” (p. 232).

71 See Joel Tadao Miyasaki, “Claiming a Place in the Intermountain West: Japanese American Ethnic Identity in Utah and Idaho” (master’s thesis, Utah State University, 2006).

72 Miyasaki’s specific interest is with the area extending southward from Rexburg in southeastern Idaho to Price in northern Utah.

73 See Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1980s* (New York: Routledge and Kegan Paul, 1987).

74 See George Sánchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1993).

75 See Lisbeth Haas, *Conquests and Historical Identities in California, 1769-1936* (Berkeley and Los Angeles: University of California Press, 1995).

For Miyasaki’s articulation of his study’s tripartite theoretical base, see “Claiming a Place in the Intermountain West,” pp. 1-3.

Miyasaki uses this conceptual framework to illuminate the World War II story of the “small, but influential” and “largely ignored” Japanese American population in Utah and Idaho, who “found themselves dispersed inside a largely white, Mormon population.” He then concludes that, in general, “these regional circumstances created a much different communal identity” from that constructed by West Coast Nikkei, and in particular, that the relative “freedom” Interior West Japanese Americans had during World War II (together with the wartime prejudice in their region) “created a discourse of self-preservation among Utah’s and Idaho’s Nikkei [and] the spirit of survival found its way into the JACL’s [Japanese American Citizens League] wartime policies and [thereby] consequently affected the United States’ larger Japanese American population in real and tragic ways.”⁷⁶

Miyasaki argues that not only have scholars showed a preoccupation with World War II politics and prejudice, but also that traditional Japanese American historical scholarship has been “California-centric.” As a result, the wartime experience of Utah and Idaho—Interior West states in the “Free Zone”—has been woefully slighted. Still, recent work on the Nikkei experience, especially that stimulated by oral history interviewing, has placed a premium on first-person perspectives; this work has provided Japanese Americans in the Interior West a chance to examine “how they participated in the creation and absorption of culture.” This, in turn, has allowed studies like “Claiming a Place in the Intermountain West” to at long last “find a home and [gain] a sense of importance.”⁷⁷

The heart of Miyasaki’s study is its fourth chapter, entitled “A Discourse of Survival.” Therein, Miyasaki maintains that the two Utah-based Japanese vernacular newspapers—the *Utah Nippo* and the *Pacific Citizen*—progressively sounded a chauvinistic message reflecting a “discourse of good citizenship.” (The *Utah Nippo* had an English-language section edited by Mike Masaoka, a Mormon convert; just before the outbreak of World War II he became national secretary and field executive for the Japanese American Citizens League, the organization recognized by the U.S. government as the Nikkei community’s “voice.” The *Pacific Citizen* was the JACL’s newspaper, and during the war it relocated, along with the organization’s national leadership, from San Francisco to Salt Lake City.) Convinced that for Nikkei to “survive” in Utah and Idaho they needed, at all costs, to preserve the American way of life, Sunao Ishio—Masaoka’s successor as *Utah Nippo*’s English-language section successor—trumpeted this uncritical patriotic anthem on October 8, 1941: “Let there not be found within the Japanese American Community one to criticize the course set by the people of the United States.”⁷⁸

Ishio’s verbal flag-waving, as Miyasaki explains, foreshadowed “the policy the JACL and its allies would use in the months and years after Japan’s attack on Pearl Harbor.”⁷⁹ Moreover, because the national JACL increasingly relied on those chapters constituting the organization’s newly organized Intermountain District Council⁸⁰ (which just weeks before Pearl Harbor held its second annual convention in Pocatello, Idaho, with the theme of “Thank God I am an American”)⁸¹ for membership and funding support during the war, the “local” survival discourse of

76 Ibid., iii-iv.

77 Ibid., 4.

78 Ibid., pp. 68-69. The gold standard for the articulation of the JACL’s discourse of citizenship was achieved the previous year by Mike Masaoka in his widely circulated “Japanese-American Creed” (for this creed, see *ibid.*, p. 67). By way of prefacing it, Miyasaki notes that Masaoka’s creed “represents his feelings as an intermountain Nisei” and characterizes it as “the first written manifestation of the policies the JACL supported during World War II.” Miyasaki alludes to precursors to this brand of nationalistic boosterism in Utah, such as the *Rei Nei Magazine*; this periodical was published in the 1920s in Salt Lake City explicitly to “promote patriotism,” and the existence of an informal Salt Lake City-based organization in the 1930s, the *Rei Nei Kwai*, that “often found ways to perform . . . patriotic fervor” (*ibid.*, pp. 63-64).

79 Ibid., p. 69.

80 Ibid., p. 89.

81 Ibid., p. 72.

militant Americanism increasingly reverberated in the public philosophy espoused by national JACL leaders and within the pages of both the *Utah Nippo* and the *Pacific Citizen*.

These two newspapers, along with two Denver-based vernaculars, the *Colorado Times* [*Kakushu Jiji*] and the *Rocky Shimpō* [*Rocky Jiho*], were all “authorized” by the U.S. government to serve as the “free” Japanese American wartime press, and they substantially enlarged their print runs to serve the expanded Nikkei readership within the concentration camp and resettlement populations. Responding to government subsidization (and a fear of being forced by the government to suspend operations), the *Utah Nippo* and *Colorado Times* English-language sections intensified their prewar editorial policy espousing a muscular Americanism, and in so doing they complemented—and, arguably, deepened—the all-English *Pacific Citizen*’s nationalistic message and tone.⁸²

As interpreted by Miyasaki, the content and tenor of both the JACL and the vernacular press led to Japanese Americans feeling as if they had to fit into American society in a nonthreatening way: they had to work harder than whites, maintain low profiles, fully support government actions, personify the idea of “blood assimilation” through risking and even losing their lives on the battlegrounds of America’s wars, and privilege “playing American” over protecting civil liberties and individual rights.⁸³ According to an influential theory postulated by historian Gary Okihiro, this situation represents a quintessential example whereby the mainstream (in this case, the national Japanese American community) was transformed through the ideas and actions occurring on one of its margins (in this instance, the regional Nikkei community of the Intermountain West).⁸⁴

In his study of World War II Nevada, Andrew Russell contends that “few scholars have looked east of California at Japanese-American life, history and wartime experiences outside the camps.”⁸⁵ He suggests that this neglect of the Interior West states, where some 12,000 to 14,000 Japanese Americans (one-tenth of the pre-World War II Nikkei population) lived prior to and just after Pearl Harbor, “represents a large gap in history.” In his opinion, this gap represents a serious problem, not simply because “historical significance of a group is not determined strictly by its size,” but also because information about the general Japanese American experience provides a master “mainstream” narrative to which are bound the stories and struggles of the “marginal” Interior West region. Russell reveals his indebtedness to Okihiro’s work in the observation that if “great lessons for mainstream America have emerged from the study of how Japanese Americans were victimized and how they protested these transgressions of justice during and after the war,” so too can “the images and experiences of Japanese Americans that emerged and evolved beyond the West Coast and the barbed-wire parameters of the camps . . . shed additional light on experiences of the ethnic mainstream, on the attitudes and actions of the larger American mainstream, and, most importantly, on the historic margins and mainstreams of interior states like Nevada.”⁸⁶ Thus, a searching examination of both “the historic margins and mainstreams” is crucial to achieve the broadest and deepest understanding of the Japanese American experience.

82 For a critical assessment of the Japanese American press during World War II, see Takeya Mizuno, “The Civil Libertarian Press, the Japanese American Press, and Japanese American Mass Evacuation” (PhD diss., University of Missouri, 2000). The situation of the *Rocky Shimpō*’s English-language edition, particularly during the January-April 1944 editorship of James Omura, which featured editorial support for the organized Nisei draft resistance at the Heart Mountain concentration camp, was different from these other three papers both in its greater emphasis upon civil liberties and social justice and its independence from and even spirited opposition to the JACL. However, after the U.S. government, encouraged by the JACL leadership, forced Omura out of his editorship and replaced him with JACL stalwart Roy Takeno, the *Rocky Shimpō*’s English-language section was in editorial accord with its three Interior West counterparts.

83 See Miyasaki, “Claiming a Place in the Intermountain West,” pp. 71-72, 86, and 89.

84 See Gary Y. Okihiro, *Margins and Mainstreams: Asians in American History and Culture* (Seattle: University of Washington Press, 1994).

85 See Russell, “Friends, Neighbors, Foes and Invaders,” pp. 1-4.

86 *Ibid.*, pp. 129-30.

In order for scholarship to continue in this area, the present wealth of studies pertaining to the mainstream Japanese American experience before, during, and after World War II must be supplemented by a proliferation of *published*—and thus readily accessible—work centering on the Interior West Nikkei experience. While a good start has been made by the appearance in print of some of the books and articles referred to in this essay,⁸⁷ a next step must be to convert a selected number of currently unpublished book-length manuscripts cited in this essay.⁸⁸ Readers are encouraged to go beyond the select secondary sources cited in this essay to explore some of those not mentioned but nonetheless pertinent and readily obtainable,⁸⁹ along with the abundant (if more ephemeral) virtual

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- 87 Bill Hosokawa, *Colorado's Japanese Americans from 1886 to the Present* (2005); Masakazu Iwata, *Planted in Good Soil: A History of the Issei in United States Agriculture* (1992); Mike Mackey, ed., *Guilty by Association: Essays on Japanese Settlement, Internment, and Relocation in the Rocky Mountain West* (2001); Andrew Russell, "Arizona Divided" (2003); Susie Sato, "Before Pearl Harbor: Early Japanese Settlers in Arizona" (1973); Kumiko Takahara, *Off the Fat of the Land: The Denver Post's Story of the Japanese American Internment during World War II* (2003); Eric Walz, "The Issei Community in Maricopa County: Development and Persistence in the Valley of the Sun, 1900-1940" (1997), "From Kumamoto to Idaho: The Influence of Japanese Immigrants on the Agricultural Development of the Interior West" (2000), and "Japanese Settlement in the Intermountain West, 1882-1946" (2001); and Charles Ynfante, *The Transformation of Arizona into a Modern State: The Contribution of War to the Modernization Process* (2002).
- 88 Ellen Schoening Aiken, "The *United Mine Workers of America* Moves West: Race, Working Class Formation, and the Discourse of Cultural Diversity in the Union Pacific Coal Towns of Southern Wyoming, 1870-1930" (2002); Kara Allison Schubert Carroll, "Coming to Grips with America: The Japanese American Experience in the Southwest" (2009); Barbara Hickman, "Japanese Railroad Workers in Wyoming, 1891-1945" (1989); Kara Miyagishima, "Colorado's Nikkei Pioneers: Japanese Americans in Twentieth Century Colorado" (2007); Joel Tadao Miyasaki, "Claiming a Place in the Intermountain West: Japanese American Ethnic Identity in Utah and Idaho" (2006); Tom I. Romero, Jr., "Of Race and Rights: Legal Culture, Social Change, and the Making of a Multiracial Metropolis, Denver 1940-1975" (2004); Andrew Benjamin Russell, "American Dreams Derailed: Japanese Railroad and Mine Communities of the Interior West" (2003) and "Friends, Neighbors, Foes and Invaders: Conflicting Images and Experiences of Japanese Americans in Wartime Nevada" (1996); Eric Walz, "Japanese Immigration and Community Building in the Interior West, 1812-1945" (1998) and "Masayoshi Fujimoto: Japanese Diarist, Idaho Farmer" (1994); and R. Todd Welker, "Sweet Dreams in Sugar Land: Japanese Farmers, Mexican Farm Workers, and Northern Utah Beet Production" (2002).
- 89 Since books are much easier to access and use than articles, the references here pertain only to books. Listed by state, they represent but a select sampling of those rendered within an interethnic/multicultural context: (Arizona) Brad Melton and Dean Smith, *Arizona Goes to War: The Home Front and the Front Lines during World War II* (Tucson: University of Arizona Press, 2003); (Colorado) Adam Schrager, *The Principled Politician: The Ralph Carr Story* (Golden, CO: Fulcrum, 2008); (Idaho) Robert Hayashi, *Haunted by Waters: A Journey through Race and Place in the American West* (Iowa City, Iowa: University of Iowa Press, 2007); (New Mexico) Richard Chalfen, *Turning Leaves: The Photograph Collections of Two Japanese American Families* (Albuquerque: University of New Mexico Press, 1991) and Everett M. Rogers and Nancy R. Bartlit, *Silent Voices of World War II: When Sons of the Land of Enchantment Met Sons of the Land of the Rising Sun* (Santa Fe: Sunstone Press, 2005); (Oklahoma) Juli Ann Nishimuta, *The Nishimutas: An Oral History of a Japanese and Spanish Family* (New York: iUniverse, Inc., 2006); (Texas) Irwin A. Tang, ed., *Asian Texans: Our Histories and Our Lives* (Austin, TX: The It Works, 2007) and Thomas K. Walls, *The Japanese Texans* (San Antonio: The University of Texas Institute of Texan Cultures at San Antonio, 1987); and (Utah) Leslie G. Kelen and Eileen Stone, *Missing Stories: An Oral History of Ethnic and Minority Groups in Utah* (Logan, UT: Utah State University Press, 2000) and Allan Kent Powell, *Utah Remembers World War II* (Logan, UT: Utah State University Press, 1991).

sources available on the Internet.⁹⁰ Before proceeding down this path of inquiry, you are invited—and strongly encouraged—to read the contents and ponder the meanings of the luminous five essays that are included with this curriculum: each has a unique perspective on the enduring communities created by Japanese Americans in Arizona, Colorado, New Mexico, Texas, and Utah.⁹¹

- 90 The following state-by-state entries for websites pertaining to the Interior West Japanese American experience are not intended to be comprehensive, but rather to provide information that is particularly relevant, interesting, reliable, useful, and, when possible, interethnic/multicultural: ([Arizona](#)) Naomi Miller, “Racial Identity in Balance,” *Chronicle of Higher Education*, January 7, 2004, <http://chronicle.com/article/Racial-Identity-in-Balance/44738/> (accessed August 15, 2009); ([Colorado](#)) “History of Longmont,” *ColoradoInfo*, <http://coloradoinfo.com/longmont/history> (accessed August 15, 2009), Takeya Mizuno, “Keep and Use It for the Nation’s War Policy: The Office of Facts and Figures and Its Use of the Japanese-Language Press from Pearl Harbor to Mass Internment,” <http://list.msu.edu/cgi-bin/wa?A2=indo309D&L=aejmc&P=7317> (accessed August 15, 2009), and Takeya Mizuno, “To Suppress or Not to Suppress, That is the Question: Pros and Cons Over the Suppression of the Japanese-Language Press from Pearl Harbor to Mass Evacuation,” <http://list.msu.edu/cgi-bin/wa?A2=indo411a&L=aejmc&P=11852> (accessed August 15, 2009); ([Idaho](#)) Laurie Mercier, “Japanese Americans in the Columbia River Basin,” <http://www.vancouver.wsu.edu/crbeha/ja/ja.htm> (accessed August 15, 2009); ([Nebraska](#)) Twin Cities Development Association, Inc., “Cultural Diversity [in Southern Panhandle of Nebraska],” <http://www.tcdne.org/cultural.htm> (accessed August 15, 2009), and “Sugar Beet Production in Nebraska,” Panhandle Research and Extension Center, University of Nebraska-Lincoln, http://panhandle.unl.edu/web/panhandlerec/sugarbeet_nebhistory (accessed August 15, 2009); ([Nevada](#)) “Japanese-American Experience,” University of Nevada, Reno, Oral History Program, <http://oralhistory.unr.edu/JapanWW.html> (accessed August 15, 2009), and Joan Whitely, “Bill Tomiyasu (1882-1969),” Stephens Press, <http://www.ist100.com/parti/tomiyasu.html> (accessed August 15, 2009); ([Oklahoma](#)) Dianna Everett, “Asians [in Oklahoma],” Oklahoma Historical Society, *Encyclopedia of Oklahoma History & Culture*, <http://digital.library.okstate.edu/encyclopedia/entries/A/ASoo6.html> (accessed August 15, 2009); ([Wyoming](#)) Western Wyoming Community College, *Wyoming History*, http://www.wvcc.cc.wy.us/wyo_hist/toc.htm (accessed August 15, 2009), and Cynde Georgen, “Subjects of the Mikado: The Rise and Fall of Sheridan County’s Japanese Community, 1900-1930,” <http://www.rootsweb.ancestry.com/~wyoming/ar-sheridanmikado.htm> (accessed August 15, 2009); ([New Mexico](#)) “Albuquerque Ethnic Cultures Survey,” <http://www.abqarts.org/cultural/survey/index.htm> (accessed August 15, 2009), “Japanese Americans – City of Albuquerque,” <http://www.cabq.gov/humanrights/public-information-and-education/diversity-booklets/asi...> (accessed August 15, 2009), and Brian Minami, “Justice Camp Remembered in Santa Fe,” April 20, 2002, <http://manymountains.org/santa-fe-marker/020420.sfemument.php> (accessed August 15, 2009); ([Texas](#)) “The Japanese Texans,” The University of Texas Institute of Texan Cultures at San Antonio, <http://www.texascultures.utsa.edu/publications/texasnoneandall/japanese.htm> (accessed August 15, 2009), “Japanese-Texans,” *Texas Almanac*, <http://www.texasalmanac.com/culture/groups/japanese.html> (accessed August 15, 2009), and “Texas Since World War II,” *The Handbook of Texas Online*, <http://www.tshaonline.org/handbook/online/articles/TT/npt2.html> (accessed August 15, 2009); ([Utah](#)) Helen Zeese Papanikolas, “Peoples of Utah” (updated by Phil Notarianni), *Utah History to Go*, http://historytogo.utah.gov/people/ethnic_cultures/peoplesofutah.html (accessed August 15, 2009), Raymond S. Uno, “Minority Racial and Ethnic Mix of Utah,” Utah Minority Bar Association, February 2005, http://www.utahbar.org/bars/umbajudge_uno_racial_ethnic_mix.html (accessed August 15, 2009), Helen Z. Papanikolas and Alice Kasai, “Japanese Life in Utah,” *Utah History to Go*, http://historytogo.utah.gov/people/ethnic_cultures/the_peoples_of_utah/japaneselifeinutah (accessed August 15, 2009), Nancy Taniguchi, “Japanese Immigrants in Utah,” *Utah History Encyclopedia*, <http://www.media.utah.edu/UHE/j/JAPANESE.html> (accessed August 15, 2009), Barre Toelken, “Dancing with the Departed: Japanese Obon in the American West,” <http://www.worldandi.com/specialreport/1994/august/Sau588.htm> (accessed August 15, 2009), and Joel Tadao Miyasaki, “Mike Masaoka and the Mormon Process of Americanization,” *The Juvenile Instructor*, March 22, 2008, <http://www.juvenileinstructor.org/mike-masaoka-and-the-mormon-process-of-americanization> (accessed August 15, 2009).
- 91 The author would like to extend his profound appreciation to Sherri Schottlaender for her remarkable work in copy-editing the present essay. The time, energy, and intelligence she invested in this undertaking far exceeded reasonable expectations. Her efforts not only greatly improved the essay, but also provided the author with an invaluable learning experience.

Timeline for Japanese Americans in the Interior West

(Compiled by Arthur A. Hansen)

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- 1882 • U.S. Congress passes the Chinese Exclusion Act, essentially cutting off Chinese immigration and creating a demand for Japanese labor for the American West's railroad, mining, and agricultural industries
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- 1900 • Issei immigrant population in the Interior West is 5,278
- 1907–8 • Gentlemen's Agreement between the U.S. and Japan becomes effective and greatly reduces Japanese immigration into the American West
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- 1910 • In the decade between 1910 and 1920, Interior West region experiences an economic boom fueled by railroad construction, coal and hard-rock mining, and agricultural development; also, sugar beet production increases dramatically in this region during this peak period of Japanese immigration to the U.S., as seen in the rise in acreage devoted to this crop in Colorado, Utah, Idaho, and Nebraska from 168,425 to 506,200
- 1913 • California and Arizona pass anti-Japanese alien land laws, leading to migration of Issei laborers to Interior West states
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- 1921 • Washington, Texas, and Nevada enact anti-Japanese alien land laws, while New Mexico adds an amendment to its constitution that serves a similar function
- 1922 • The U.S. Supreme Court rules in *Takao Ozawa v. United States* that Japanese aliens are definitely prohibited from becoming naturalized U.S. citizens on the basis of race, and this ruling remains in effect until 1952
- 1923 • Oregon, Montana, and Idaho pass anti-Japanese alien land laws
- 1925 • Kansas enacts an anti-Japanese land law
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- 1930 • Population of Japanese immigrant community in Interior West is estimated at 12,862
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- 1940 • U.S. Census reports Japanese American population of Interior West to be 9,624, a numerical loss reflecting the Depression's impact
- 1941 • Mike Masaru Masaoka, a Mormon from Salt Lake City, Utah, becomes executive secretary of the Japanese American Citizens League (JACL); Japan bombs U.S. naval base at Pearl Harbor in Hawai'i, an act that precipitates America's entry into World War II and marks the beginning of arrests of Nikkei and the imposition of restrictive measures on the Japanese American community
- 1942 • President Franklin Roosevelt signs Executive Order 9066, setting the stage for the mass removal of people of Japanese ancestry on the West Coast and detention in U.S. Army, Department of Justice, and War Relocation Authority (WRA) concentration camps sited mostly in Interior West states; Fred Isamu Wada departs Oakland, California, with 21 people, en route to Keetley, Utah, to form Keetley Farms, a "voluntary resettler" community in the Interior West; U.S. Army issues Public Proclamation No. 4, which effectively ends the period of "voluntary evacuation" responsible for a substantial migration of West Coast Japanese Americans into the "free zone" states of the Interior West; JACL moves its national headquarters from San Francisco to Salt Lake City; U.S. government authorizes two Nikkei newspapers in Denver, Colorado (the *Colorado Times* and the *Rocky Nippon/Shimpo*) and two in Salt Lake City (the *Utah Nippo* and the *Pacific Citizen*) to serve as the "Free Zone" Japanese American wartime press; emergency meeting of JACL leaders

held in Salt Lake City, which is followed by wave of anti-JACL beatings, riots, and strikes in the WRA camps; WRA issues policy statement on resettlement from its camps, resulting in a greatly enlarged Interior West Nikkei population, including a substantial number of farm workers credited with saving the region's imperiled sugar beet crop

- 1943 • Utah and Wyoming pass anti-Japanese land laws
- 1944 • Native Nebraskan Ben Kuroki, an Army Air Corps sergeant, achieves acclaim as Japanese America's first war hero upon completing 28 bombing missions in the European Theater, and then goes by order of the U.S. War Department on a controversial morale-raising tour of three Interior West WRA camps; two federal trials are held in Cheyenne, Wyoming, for Heart Mountain Fair Play Committee draft resisters and their leaders, and another federal trial, for treason, is held in Denver for three Nisei sisters charged with assisting in the escape of two German prisoners of war that they met when all five were working on a Trinidad, Colorado, farm; U.S. government removes restrictions preventing resettlement of Japanese Americans on the West Coast, which catalyzes a steady migration in the following years from the Interior West to California, Oregon, and Washington
- 1945 • World War II ends
- 1946 • JACL holds its first postwar biennial convention in Denver, at which former Colorado governor Ralph Carr, the keynote speaker, is feted for being the only Interior West governor to welcome West Coast Nikkei to resettle in his respective state after Pearl Harbor
- 1948 • JACL holds its second postwar biennial convention in Salt Lake City

- 1953 • President Dwight Eisenhower confers the Congressional Medal of Honor on Hiroshi "Hershey" Miyamura of Gallup, New Mexico

- 1962 • Idaho voters approve a constitutional amendment extending basic American rights to naturalized Asian Americans, ending their exclusion from voting, holding civil office, and serving as jurors, and also terminating Idaho's status as the only U.S. state holding such restrictions

- 1967 • Salt Lake City razes its *nihonmachi* (Japan Town) and replaces it with the Salt Palace Convention Center

- 1973 • Sakura Square, a one-block complex of shops, housing, and a remodeled Buddhist church, opens in downtown Denver, near the heart of the Nikkei community's historic *nihonmachi*

- 1978 • At the JACL biennial convention in Salt Lake City, the organization adopts a resolution calling for redress in the form of individual payments of no less than \$25,000 to compensate Japanese Americans for their World War II mass exclusion and detention by the U.S. government

- 1988 • President Ronald Reagan signs Civil Liberties Act, which involves a presidential apology to the Japanese American community for its World War II mistreatment, along with a redress payment of \$20,000 for each surviving camp inmate and the establishment of a civil liberties public education fund

- 2006 • New Mexico repeals its anti-Asian alien land law

- 2008 • Bryan Clay, a Texan of mixed African American and Japanese American heritage,

wins the gold medal for the decathlon held in Beijing, China, and is declared “the world’s best athlete”; the Japanese American National Museum ‘s project *Enduring Communities: Japanese Americans in Arizona, Colorado, New Mexico, Texas, and Utah*, as a highlight to its three-year existence, stages a national conference in Denver, “Whose America? Who’s American? Diversity, Civil Liberties, and Social Justice”



Japanese Americans in Texas

Thomas Walls

Texas is a large state with a diverse population. Although Texans of Japanese ancestry have never been large in number, they have nonetheless made big contributions throughout their unique history. The first significant impact was in the early 1900s, when Japanese initiated at least 30 large-scale attempts to grow rice on the southeast coastal plains around Houston and Beaumont. Following a 1902 fact-finding visit by Sadatsuchi Uchida, the Japanese Consul General from New York, men with money (or access to money) made their way from Japan to Texas to farm rice. Upon their arrival they were assisted by “colonization agents.” Hired by railroad companies in an effort to increase agricultural commerce and thus support the many new miles of track being laid, these agents provided newcomers with free railway passage and otherwise facilitated the purchase of land and equipment. Among these early settlers were a banker, a newspaper journalist, several businessmen, former Japanese military officers, a politician turned university president, and even a prominent Japanese socialist by the name of Sen Katayama. These men invested considerable sums to procure land and the heavy equipment—seed drills, harvesting binders, and steam-operated threshing machines—needed to farm rice on a large scale. They brought other Japanese with them as well, primarily field hands to perform the hard labor required of any agricultural operation. They also brought their own customs and manner of dress, as documented by local reports of men wearing strange conical hats, rain gear and sandals, all made of rice straw.

While the new arrivals may have shared a cultural heritage, they nonetheless chose to organize their farms in different ways. Some were close-knit colonies where the owners paid wages to their Japanese workers. One operation, owned by brothers Rihei and Toraiichi Onishi, leased 100-acre tracts of land near Mackay to sharecroppers and required two-fifths of the crop as

rent; the Onishis also ran a sort of company store that sold food and clothing to their lessees. On other farms Japanese workers were in short supply, putting local laborers in high demand. These farmworkers were a diverse group: African Americans, Anglos, Mexican Americans, Louisiana French, Austrians, and White Russians were all reported to have worked as agricultural laborers.

As would be expected, some operations were successful, while others were not. The most costly failure was a venture in Dacosta run by Major Oshimaru Takayama, a former Japanese artillery officer. The farm reportedly lasted only two years and lost investors an estimated \$100,000 when it folded, a considerable amount in 1908. The Japanese rice colonists in southeast Texas, as with all farmers in the states, were severely affected in 1918 by the dramatic drop in market prices for rice and other grains following the end of World War I. A few farms survived by switching crops, but the crisis caused many Japanese workers to suddenly lose their jobs. Some found work in nearby plant nurseries and restaurants owned by fellow Japanese Texans, while others simply moved away. By 1920 the U.S. Census counted 449 Japanese in Texas, an increase of only 109 from 10 years earlier.

In the early 1900s a number of Japanese entered Texas via El Paso, long a border crossing for Chinese immigrants—it even had its own so-called Chinatown. After Japan’s victory in the Russo-Japanese War of 1904–1905, El Paso became a favored entry point for former Japanese soldiers who were having trouble entering the country at other locations. Many were seeking employment as construction workers for railroad companies, but an agreement between the U.S. and Japan kept such workers out: unable to immigrate legally, an untold number entered Texas illegally.

The 1910s saw continued Japanese immigration into Texas via Mexico due to unrest near the border caused by the Mexican Revolution resulting in Immigration Service suspension of regulations for both Jap-



anese and Chinese. During this period Japanese were also arriving in the border areas of Texas from other western states such as California, where they experienced considerable discrimination. The Rio Grande Valley area west of Brownsville was a particularly popular destination due to its mild climate and fertile but undeveloped farmland. One migrant to the Valley was Uichi Shimotsu, who settled near McAllen after graduating from a Colorado agricultural college; in 1916 he returned to Japan to bring Takako Tsuji back to Texas as his wife. Takako later told her children, “It was like going into darkest Africa!” Other Japanese families settled in scattered parts of the Valley, farming mostly cotton in the summer and vegetables in the winter. Although separated by miles of rough roads and farmland, Japanese families congregated on special holidays to eat, drink, and socialize. Later in the 1930s these immigrants formed the Rio Grande Valley Royals, a social club for their children. On occasion the Royals met with the Lone Star Club, a similar group made up of the offspring of rice colonists from around Houston.

In 1920 California passed strict legislation prohibiting Japanese immigrants from owning land, and in 1921 a similar alien land law was introduced in the Texas Legislature. In response, Japanese landowners in southeast Texas banded with Japanese businessmen from Dallas cotton firms to fight the bill. Their leader was Saburo Arai, a well-respected nurseryman from Houston who provided letters of support from white Texans and testified for the group before a Texas Senate committee. Although the legislation eventually passed, a compromise was struck which allowed Japanese currently living in Texas to keep their land and to purchase more in the future. Despite these concessions, the Texas land law accomplished its intent: with no prospect of owning land, few Japanese newcomers were attracted to the state. In 1924 the final blow came at the national level when Congress passed the

Johnson-Reed Act (Immigration Act of 1934), halting all immigration of Japanese into the United States.

The Japanese who remained in Texas lived and worked without incident until December 7, 1941: almost immediately after Japan’s attack on Pearl Harbor, the FBI searched the homes of Japanese throughout the state, often taking the head of the household to jail. The bank accounts of Japanese Texans were frozen, and travel was severely restricted. Out of a sense of self-preservation, some Japanese changed the names of their businesses: thus, the Japanese Restaurant, which was established by “Tom Brown” Okasaki in Houston at the turn of the century, became the U.S. Café. In San Antonio city officials voted to change the name of the Japanese Tea Garden in Brackenridge Park to the Chinese Tea Garden; in the process they evicted Alice Jingu and her five children from the garden’s tea pavilion, where they had lived and served tea to the public for 24 years.

In 1940 the U.S. Census counted only 458 Japanese in Texas. In a strange twist, World War II would cause this number to increase by tenfold due to the creation of three wartime internment camps in the state. In 1942 President Franklin D. Roosevelt signed Executive Order 9066, authorizing the forced removal of “any and all persons” from prescribed military zones in western states and providing the basis for mass exclusion of Japanese Americans. One camp, located at Seagoville, southeast of Dallas, was built in 1940 as a model reformatory for women; it eventually housed 50 female Japanese-language instructors who had been arrested on the West Coast following the attack on Pearl Harbor. Japanese immigrants to Latin America were later housed there after being taken from their homes (primarily in Peru) and deported to the U.S., presumably to be traded in prisoner of war exchanges for American noncombatants trapped behind enemy lines. Others from Latin America, including Germans, Italians, and Japanese, were interned in a camp near Kenedy, southeast of San Antonio. Originally constructed for

the Civilian Conservation Corps (CCC), this camp also held Japanese Americans, including some from Texas, before it was converted in September 1944 to house German POWs.

The third internment camp was located at Crystal City in south Texas. Before the war it had been a government housing camp for migrant agricultural workers, but in December 1942 it opened as a “family” camp, designed to reunite family members incarcerated at various camps throughout the country and to hold families deported from Latin America. Eventually it also housed some 1,000 Germans who had been arrested under circumstances similar to the Japanese following Pearl Harbor. At its height Crystal City housed 4,000 internees, more than two-thirds of whom were Japanese. With its administration offices, hospital, grocery store, schools, and row upon row of houses, the camp functioned much like any small town, except, of course, for the surrounding fence and guard towers. The high school, which was named Federal High, even had a football team— but they had no other team to play against. Local townspeople had jobs in the camp, and the internees worked peacefully alongside them as store clerks, librarians, shoe repairmen, barbers, and beauticians. By all accounts the Japanese also lived in harmony with the Germans at Crystal City. Although they occupied different areas of the camp, there was ample opportunity for the two groups to mix, from playing music in a camp orchestra to attending German- or Japanese- language classes.

The end of the war saw the eventual closing of the three Texas internment camps. Rather than return to their home states, some internees chose to remain in Texas, among them Isamu Taniguchi, who later created the well-known Taniguchi Japanese Garden in Austin’s Zilker Park. Japanese from concentration camps in other states also moved to the Lone Star State for its economic opportunities and its small but stable core of Japanese residents. The end of the war saw a soft-

ening of anti-Japanese sentiment in the U.S. and in Texas, partly in response to the deeds of the all-Japanese American 442nd Regimental Combat Team (RCT). One of the most decorated units in the military, the 442nd was best known for its heroic rescue of the 1st Battalion of the 36th Infantry Division, Texas National Guard—the so-called Lost Battalion—in southern France. While other units had been unable to reach the surrounded infantrymen, the 442nd RCT fought back German defenses for five days in a cold rain before finally breaking through to save the lives of 211 Texans. During the battle the 442nd lost 200 Japanese-American soldiers, with 600 more wounded. At least one of the dead, Saburo Tanamachi, was himself a Texan, and he was one of the first two Japanese Americans to be buried at Arlington National Cemetery.

In the years after the war the descendants of the first Japanese immigrants to the state have taken their places among their fellow Texans, integrating themselves into a society as familiar to them as Japan was to their ancestors. To be sure, in the 1950s and 1960s they faced discrimination and prejudice, as did other ethnic groups, but they also received kindness and understanding from Texans who knew the story of the Lost Battalion. Over time these younger Japanese Texans have broken the patterns of their parents by moving away from agricultural pursuits into myriad other occupations. Changes in patterns of marriage have also occurred, with marriages between people of differing ethnicities becoming much more common.

Further evidence of Japanese Texans assimilating into the broader society can be seen in their accomplishments in various sports. One notable standout is Austin-born Bryan Clay, who is half Japanese American and half African American: Clay took the silver medal in the decathlon in the 2004 Olympics and the gold medal in the 2005 World Championships. In some way his accomplishments are tied to the legacy of another Japanese Texan, Taro Kishi, who was brought to this country as a child by his parents in

1907. He lived on the Kishi farm in Terry, Texas, until 1922, when he enrolled at Texas A&M to study agriculture. A gifted athlete, Kishi was a halfback on the A&M varsity football team and was the first player of Japanese descent to play intercollegiate sports in the Southwest Conference.

In the years after World War II Japanese newcomers to Texas increased. Many of the new arrivals were so-called war brides, the wives of American soldiers who had been stationed in Japan during the Occupation. Their ability to immigrate was made possible by the G.I. Fiancées Act (1946) and the McCarran-Walter Act (Immigration and Nationality Act, 1952). After nearly three decades of the United States excluding Asians from immigrating, the latter legislation legalized Japanese immigration once again (albeit in small numbers). Equally important, it gave longtime Japanese residents the right to pursue American citizenship, which many in Texas did. A symbolic end to past discrimination against the Japanese came in 1988 with passage of the Civil Liberties Act, which offered both an apology and reparations payments to Japanese Americans who had been incarcerated during the war. It is noteworthy that the redress and reparations movement leading up to the passage of the act had its beginnings in 1970, when a California educator and civil rights activist named Edison Uno first championed the idea. Edison Uno was a Texan for only a short time—as a teenager he was imprisoned at the internment camp at Crystal City—but all Texans can be proud of his efforts on behalf of Japanese Americans everywhere.

Timeline for Japanese Americans in Texas

(Compiled by Thomas Walls)

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- 1900 • U.S. Census reports 13 Japanese living in Texas
 - 1902 • Sadatsuchi Uchida, Japanese Consul General from New York, visits Texas to investigate the feasibility of establishing large-scale rice farming ventures on the coastal plains around Houston and Beaumont
 - 1903 • First rice farms operated by Japanese immigrants are established
 - 1904–05 • Japan defeats Russia in Russo-Japanese War; newly discharged Japanese soldiers and sailors seek employment in the U.S. working for railroad companies, with many attempting to cross into the U.S. at El Paso
 - 1908 • Major Oshimaru Takayama's rice venture in Dacosta folds and loses Japanese investors more than \$100,000
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- 1910 • Japanese population in Texas reaches 340
 - 1910s • Japanese continue to move to the Texas border region from Mexico and western states such as California
 - 1916 • Uichi Shimotsu, one of the first Japanese to settle the Lower Rio Grande Valley, returns to Japan to marry Takako Tsuji and brings his new wife to his farm near McAllen in the Valley
 - 1918 • Grain prices, including that of rice, fall dramatically with the end of World War I, severely impacting Japanese rice-farming ventures in Texas
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- 1920 • U.S. Census counts 449 Japanese in Texas
 - California passes a so-called alien land law that severely restricts Japanese ownership of land in the state
 - 1921 • Texas passes its own alien land law; opposition by Japanese Texans results in a compromise version allowing Japanese already living in Texas to keep their land
 - 1922–26 • Taro Kishi attends Texas A&M to study agriculture, becoming the first individual of Japanese descent to play intercollegiate sports in the Southwest Conference
 - 1924 • Congress passes the Johnson-Reed Act (Immigration Act of 1924), halting all immigration of Japanese into the United States
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- 1930 • Japanese population in Texas reaches 519
 - 1930s • Rio Grande Valley Royals social club is formed for children of Japanese settlers in south Texas; they occasionally meet with the Lone Star Club, a similar group from the Houston area
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- 1940 • U.S. Census counts only 458 Japanese Texans
 - 1941 • On December 7 Japan attacks Pearl Harbor, bringing the United States into World War II
 - 1942 • Seagoville and Kenedy internment camps open in April; Crystal City “family” camp opens in November
 - 1944 • The all-Japanese American 442nd Regimental Combat Team (RCT) rescues the Texas “Lost Battalion” in southern France

- 1945 • World War II ends

- 1946 • Congress passes the G.I. Fiancées Act, permitting foreign-born brides of American servicemen entry into the United States

- 1952 • Congress passes the McCarran-Walter Act (Immigration and Nationality Act), allowing Japanese once again to immigrate to the U.S. (albeit in small numbers) and allowing them to become U.S. citizens for the first time

- 1970 • Edison Uno champions the idea of providing redress and reparations payments to all Japanese Americans interned during World War II

- 1988 • Congress passes the Civil Liberties Act, offering an apology to all Japanese Americans interned during the war and authorizing payment of reparations to those still living

- 2004 • Austin-born decathlete Bryan Clay who was raised by his Japanese American mother in Hawaii wins an Olympic silver medal

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Once you join others, even though at first your mission fails, you become a different person, a much stronger one. You feel that you really count, you discover your strength as an individual because you have along the way discovered others share in what you believe, you are not alone; and thus a community is formed. ... So, my credo consists of the pursuit and the act. One without the other is self-indulgence.

—Studs Terkel, Forward to *This I Believe: The Personal Philosophies of Remarkable Men and Women*, 2006

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