Guest: The day Japanese Americans lost their rights

Gordon Hirabayashi believed the forced removal of 120,000 Japanese Americans was unconstitutional — and he went to prison for his belief, writes guest columnist Esther Toshiko Hirabayashi Furugori.

By Esther Toshiko Hirabayashi Furugori
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Thursday marks the 73rd anniversary of an American day of infamy. On Feb. 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066, which set in motion the forced removal of my family from our Auburn-area home, joining the exile of 120,000 Japanese Americans from the West Coast to American concentration camps.

My family was first forcibly removed in crowded, hot trains to Fresno, Calif., arriving at a stark place surrounded by barbed wire fences called Pinedale Assembly Center. A month later, we were transported by bus to the Tule Lake Relocation Center in Northern California.

Conditions were harsh at both locations. Crammed into open ceiling “apartments” no larger than 20 by 25 feet, no conversation or movement was private. Everyone was forced to adjust to a culturally uncomfortable reality of sharing everything from meals in mess halls to humiliating communal showers and latrines with no privacy dividers.

I was just 13, and my family kept me busy playing softball, reading Nancy Drew novels and enjoying music. Looking back, perhaps they wanted to distract me from thinking about my brother, Gordon Hirabayashi, who wasn’t with us. He was in prison.

Before our forced removal, the entire Pacific Coast was under a federally imposed curfew for Japanese Americans. Gordon was attending the University of Washington and he strongly believed that this curfew and Executive Order 9066 were unconstitutional.

Deliberately staying out past the curfew, Gordon turned himself in to police and demanded that he be arrested. The police officers knew Gordon and told him to go home, but he persisted and was arrested by the FBI, tried and found guilty of violating the curfew. With no transportation paid for by the government, Gordon refused to pay his own way to go to prison in Arizona, so he decided to hitchhike.

Gordon also refused to be sent to the concentration camps or serve in the military, spending nearly two years in different prisons while appealing his curfew verdict.
Eventually in 1943, his case reached the U.S. Supreme Court, which unanimously ruled against him.

Gordon’s principled stand was both unusual and lonely. Hardly anyone stood up for civil rights in the 1940s like they did in the 1960s, and most people in the Japanese-American community — let alone the nation at large — disagreed with his views as being unpatriotic and criticized him for making things harder by “rocking the boat.”

Forty years after his Supreme Court verdict, the U.S. District Court in Seattle overturned Gordon’s conviction. Blockbuster evidence was uncovered that the federal government deliberately withheld important military documents from his Supreme Court case, disclosing that racial reasons and not military necessity were used to justify the exclusion and incarceration of Japanese Americans.

After the war, Gordon earned his master’s and doctorate degrees in sociology from the University of Washington, enjoyed a successful academic career and received many awards including our nation’s highest civilian honor, the Presidential Medal of Freedom.

Among all of his accomplishments, I’m most proud of my brother for his courage to protest the unbridled use of power by our government during times of fear, war hysteria and racial prejudice, and, since Sept. 11, 2001, I suspect that Gordon wouldn’t mind if I added religious intolerance to that list.

Gordon died on Jan. 2, 2012. To ensure that his story lives on and inspires generations to come, our family is honored that the permanent Legacy of Justice installations of public art and interpretive elements will be the cornerstone of the mixed-use Hirabayashi Place project currently under construction in Seattle’s Chinatown International District.

“I never looked at my case as my own, or just as a Japanese-American case,” Gordon said in reference to his overturned conviction. “It is an American case, with principles that affect the fundamental human rights of all Americans.”

*Esther Toshiko Hirabayashi Furugori is a charter member of the Hirabayashi Place Legacy of Justice Committee.*