

Friends Meeting after the Meeting for Worship. Hirabayashi recalls the moment.

"I remember that December 7, 1941 was a quiet Sunday morning in Seattle. We had just finished Meeting for Worship at the Friends Meeting and we drifted outside for visiting. Then, one of our members, who had stayed by the radio, broke the news. Japan had attacked Pearl Harbor in Hawaii! We are at war! It was unreal. The impact did not sink in for some time. My immediate worry was what would happen to my parents and their generation. Since they were legally ineligible for American citizenship, war with Japan instantly transformed them into 'enemy aliens'" (*The Courage of Their Convictions*, p. 52).

Hirabayashi, then a college senior, applied for and was granted conscientious objector status by the United States government.

Two months after the bombing of Pearl Harbor, President Franklin D. Roosevelt (1882-1945) signed Executive Order 9066, setting in motion the forced evacuation of Japanese Americans on the U.S. West Coast. More than 110,000 people, two thirds of them American citizens, were removed from their homes and neighborhoods and imprisoned in 10 camps located in isolated inland areas.

Principled Resistance

In keeping with his deeply held beliefs, Hirabayashi could not accept the injustices of the curfew and the eventual removal and imprisonment of Japanese Americans. He viewed these as gross violations of his constitutional rights.

"As an American citizen," he told scholar Ronald Takaki, "I wanted to uphold the principles of the Constitution, and the curfew and evacuation orders which singled out a group on the basis of ethnicity violated them. It was not acceptable to be less than a full citizen in a white man's country."

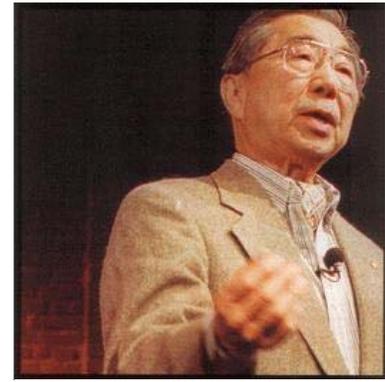
Hirabayashi joined the Quaker-run American Friends Service Committee, helping Japanese American families whose fathers had been imprisoned immediately after Pearl Harbor. The day after Japanese Americans were removed from Seattle for a temporary prison camp at the Puyallup Fair Grounds, Hirabayashi remained in the city, defying the military order that had required "all persons of Japanese ancestry" to register for the "evacuation."

He turned himself in to the FBI, and was tried and convicted in October 1942. He went to prison for 90 days. His case before the Supreme Court, *Hirabayashi v. United States* (1943), was the first challenge to the government's wartime curfew and expulsion of Japanese Americans. The Court ruled against him 9-0.

Post-War Life

After the war, Hirabayashi resumed his education, receiving B.A., M.A., and Ph.D. degrees in sociology from the University of Washington. He then taught at American University in Beirut for three years and at American University in Cairo for about four years. His discipline concerned comparative cultural studies, largely concerning Middle Eastern and Asian cultures. In 1959, he joined the faculty at the University of Alberta in Edmonton, where he was sociology chair for seven years beginning in 1970. He retired in 1983.

His first marriage was to Esther Schmoie. She was the daughter of peace activist and conscientious objector Floyd Schmoie (1895-2001). Gordon and Esther Hirabayashi had three children, twin daughters Marion and Sharon, and son Jay. Their marriage ended in divorce. (Esther Hirabayashi died in January 2012, 10 hours after the death of



Gordon Hirabayashi (1918-2012)
Courtesy Columns magazine

her former husband.)

Gordon Hirabayashi's second marriage was to Susan Carnahan, who survived him.

The New Case

In the 1980s, 40 years after his wartime convictions, Hirabayashi challenged the decisions with a little used legal recourse called *coram nobis*, which allowed for judicial review of a judgment based on factual error not known to the court at the time the judgment was delivered.

Researchers and legal scholars Peter Irons and Aiko Herzig-Yoshinaga had uncovered irrefutable evidence that the government had withheld information from the Office of Naval Intelligence, contradicting the United States Army's claim of widespread disloyalty among Japanese Americans. This was the so-called "military necessity" rationale for the evacuation. In fact, not one Japanese American was ever convicted of sabotage or espionage during the entire war.

Hirabayashi's exclusion and curfew convictions were overturned in 1986 and 1987 respectively. Although the Supreme Court rulings remain intact because the government chose not to appeal the reversals, his legal victories made history in disproving the government's contention of disloyalty. Of the cases, Hirabayashi said:

"When my case was before the Supreme Court in 1943, I fully expected that as a citizen the Constitution would protect me. Surprisingly, even though I lost, I did not abandon my beliefs and my values. And I never look at my case as just my own, or just as a Japanese American case. It is an *American* case, with principles that affect the fundamental human rights of all Americans: (*The Courage of Their Convictions*, p. 62).

Hirabayashi resided for many years in Edmonton, Alberta, where he was professor emeritus in sociology at the University of Alberta. He died in Edmonton on January 2, 2012. He had been suffering from Alzheimer's.

Sources:

Roger Daniels, *Asian America: Chinese and Japanese in the United States since 1850* (Seattle: University of Washington Press, 1988); Peter Irons, *Justice at War* (Berkeley: University of California Press, 1983); *Washington Comes of Age: The State in the National Experience* ed. by David H. Stratton (Pullman: Washington State University Press, 1992); Ronald Takaki, *Strangers from a Different Shore: A History of Asian Americans* (Boston: Little, Brown and Co., 1989); Richard Goldstein, "Gordon Hirabayashi, World War II Internment Opponent, Dies at 93," *The New York Times*, January 3, 2012; Elaine Woo, "Gordon Hirabayashi Dies at 93; Opposed Internment of Japanese Americans," *Los Angeles Times*, January 5, 2012 (http://www.latimes.com/news/obituaries/la-me-gordon-hirabayashi-20120105_0,2488184.story); Peter Irons, *The Courage of Their Convictions* (New York: The Free Press, 1988); Priscilla Long (HistoryLink.org) telephone interview with Peter Irons, January 5, 2012.

Note: This essay was corrected on January 3, 2012, to say that Gordon Hirabayashi was a native of Auburn, Washington. It was expanded on January 4 and 5, 2012.

By David Takami, February 17, 1999

[< Browse to Previous Essay](#) | [Browse to Next Essay >](#)

Related Topics: [Ethnic Communities](#) | [Law](#) | [War & Peace](#) | [Biographies](#) |

Licensing: This essay is licensed under a Creative Commons license that encourages reproduction with attribution. Credit should be given to both HistoryLink.org and to the author, and sources must be included with any reproduction. Click the icon for more info. Please note that this Creative Commons license applies to text only, and not to images. For more information regarding individual photos or images, please contact the source noted in the image credit.



Major Support for HistoryLink.org Provided By: The State of Washington | Patsy Bullitt Collins | Paul G. Allen Family Foundation | Museum Of History &

Industry | 4Culture (King County Lodging Tax Revenue) | City of Seattle | City of Bellevue | City of Tacoma | King County | The Peach Foundation | Microsoft Corporation, Other Public and Private Sponsors and Visitors Like You

Home	About Us	Fun & Travel	Education	Contact Us	Sponsors	Advanced Search
-------------	-----------------	-------------------------	------------------	-------------------	-----------------	------------------------

HistoryLink.org is the first online encyclopedia of local and state history created expressly for the Internet. (SM)
HistoryLink.org is a free public and educational resource produced by History Ink, a 501 (c) (3) tax-exempt corporation.
Contact us by phone at 206.447.8140, by mail at Historylink, 1411 4th Ave. Suite 803, Seattle WA 98101 or email admin@historylink.org



*The Free Online Encyclopedia
of Washington State History*