

# Franklin & Fred

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On January 30, 1919, the Assistant Secretary of the Navy, Franklin D. Roosevelt, celebrated his 37<sup>th</sup> birthday. He was, with his wife Eleanor, in London, a stop on his post-Great War inspection and demobilization planning trip to Europe.<sup>1</sup> They already had visited devastated battle locations, ruins and remnants in France, including at Belleau Wood, Ham, Cambrai, and Amiens, and soon Franklin would visit Belgium and inspect bases (where no women were permitted) in occupied Germany.<sup>2</sup>

Roosevelt had, then and probably for all of his life, no knowledge of a coinciding birth. On that 1919 date, in Oakland, California, Katsui Korematsu, a 1905 immigrant to the United States from Japan, gave birth to a boy, Toyosaburo. He was her and her husband Kakusaburo's third son. Toyosaburo Korematsu grew up in California and came to be known as Fred.

Franklin D. Roosevelt and Fred Korematsu are linked by much more than a shared birth date. In 1942, following Japan's attack on Pearl Harbor that brought the U.S. into World War II, then-President Roosevelt signed Executive Order 9066. It authorized the Secretary of War and military commanders to prevent possible espionage and sabotage by declaring military areas, to exclude persons therefrom, and to take other steps that commanders deemed appropriate.

Pursuant to that authority, the U.S. Army soon declared the west coast of the U.S. to be an area under military command. It then issued a

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<sup>1</sup> See *Whole Navy Force Soon to Be Sent Home*, N.Y. TIMES, Jan. 22, 1919, at 2 (reporting FDR's January 21<sup>st</sup> London statement to the press).

<sup>2</sup> See generally ELEANOR ROOSEVELT, *THIS IS MY STORY* 273-93 (1937), reprinted in part in *THE AUTOBIOGRAPHY OF ELEANOR ROOSEVELT* 98-101 (1961); FDR: *HIS PERSONAL LETTERS, 1905-1928* 442-71 (Elliott Roosevelt, ed., 1950); KENNETH S. DAVIS, *FDR, THE BECKONING OF DESTINY, 1882-1928, A HISTORY* 556 (1971).

series of security orders directed at persons there who were of Japanese descent (both immigrants and U.S. citizens)—curfews, then exclusions from coastal areas, then directives to report to internment camps in the interior of the country.

The U.S. Congress and Roosevelt then enacted criminal laws penalizing violations of those orders. When Fred Korematsu, age 23, received his exclusion order, he disobeyed. He was caught, prosecuted and convicted. Agreeing to test the constitutionality of the law enforcing race-based and ethnicity-based military orders, he appealed his conviction. In December 1944, in the Supreme Court of the United States, he lost—the Court, voting 6-3, upheld the exclusion of Japanese-Americans as within the president’s constitutional powers to protect national security.<sup>3</sup>

Through years of studying and writing about Franklin D. Roosevelt, I have long known and marked January 30<sup>th</sup> as his birthday. I also have been very pleased to see, in recent years, the growing number of States and cities that now recognize January 30<sup>th</sup> as “Fred Korematsu Day.”

On their birthday, we remember—we should remember—each man in full. One, FDR, was the national and global leader who, although not flawless, did much—more perhaps than anyone else—to save and to make the modern world. FDR should be taught, studied and assessed intensely, always.

I never met FDR, of course. But I got to meet and to know Fred Korematsu, who died in 2005, a little bit. He was a quiet, private man. And he was a giant. His story, his bravery and his citizenship are models—perhaps flawless models—to learn and to teach.

A newly-completed monument to FDR, Four Freedoms Park, now graces the southern tip of Roosevelt Island in New York’s East River. A visit to Four Freedoms Park is a chance to think of President Roosevelt, and of the ideals—freedom of speech and expression; freedom of worship; freedom from want; freedom from fear—that he articulated in a January 1941 speech.

It also is a chance to think of Fred T. Korematsu, who lived and stood for freedom.

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<sup>3</sup> See *Korematsu v. United States*, 323 U.S. 214 (1944).

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Some links—

- audio of FDR’s “Four Freedoms” speech (Jan. 6, 1941):  
[www.fdrlibrary.marist.edu/ffaudiofull.mp3](http://www.fdrlibrary.marist.edu/ffaudiofull.mp3) and  
[www.fdrlibrary.marist.edu/ffaudioclip.mp3](http://www.fdrlibrary.marist.edu/ffaudioclip.mp3)
- Executive Order 9066 (Feb. 19, 1942):  
[www.archives.gov/historical-docs/todays-doc/index.html?dod-date=219](http://www.archives.gov/historical-docs/todays-doc/index.html?dod-date=219);
- *United States v. Korematsu*, 323 U.S. 214 (Dec. 18, 1944):  
[http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0323\\_0214\\_ZO.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0323_0214_ZO.html);
- my 2005 article, “A Commander’s Power, A Civilian’s Reason: Justice Jackson’s *Korematsu* Dissent”:  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=882100](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=882100);
- Franklin D. Roosevelt Four Freedoms Park:  
[www.fdrfourfreedomspark.org/](http://www.fdrfourfreedomspark.org/);
- Fred T. Korematsu Institute for Civil Rights,  
<http://korematsuinstitute.org/institute/contact-us/>;
- excerpts from a 2002 public conversation with Fred Korematsu: [www.youtube.com/watch?v=iQeOm8RWhTA](http://www.youtube.com/watch?v=iQeOm8RWhTA);  
and
- “Fred Korematsu Day,” a public service announcement:  
<http://www.youtube.com/watch?v=XIDwMDVc9fk&list=UUZHjSQwhOYAxiXmQdbclpw&index=1>.