

42-years ago this week the highest court in the land ruled that Gordon Hirabayashi, a U-S citizen born in Auburn, was a threat to our national security. The court ruled not because of what the young man did, but because of whom he resembled. Hirabayashi can remember talking at that time with an agent of the FBI.

CART: FBI AGENT Q"interrogating me" :16

I'm Frank Abe with Other Voices.

The barrier of race was all that seperated the young University of Washington student from the G-man. The Supreme Court was told that the emergency of war with Japan was all it needed to consider in deciding whether a 25-year old pacifist--and by extension--120-thousand Japanese Americans, should be expelled from their homes and incarcerated in barbed-wire camps.

This week and next Hirabayashi has returned to the court in which he was originally convicted for violating curfew and evacuations orders. He says the argument that there was a military need to imprison U-S citizens en masse, without hearings or trials, is not borne out in the conversations of the responsible officials. Instead he says telephone conversations show the influence of farmers who coveted land.

CART: TRANSCRIPTS Q"military security" :27

Hirabayashi's suit now in U-S District Court argues that officials in the Justice and War Departments were so intent on defending their decision to evacuate that they suppressed, altered, and in one case even lit a bonfire to destroy documents in his favor. He says those documents showed there was no espionage being conducted by Americans with Japanese faces.

Japanese Americans, he says, made a convenient scapegoat for Pearl Harbor, and boosted the unity of the American war effort. That unity is still evident today. One war veteran this week interrupted court testimony to shout, "It was a threat of invasion"--end quote--that led to the incarceration.

Hirabayashi says it's that lingering--and in his view--mistaken belief that he wants to settle once and for all in court.

CART: 43-YEARS Q"judicially yet" :23

We'll hear more next week on Other Voices. Frank Abe, KIRO NEWSRADIO 71