

Supreme Court Cases in the Civil Rights Movement:

Mexican Americans and Japanese Americans

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Historically, the United States has been made up of various racial groups of immigrants. Racial discrimination against the minorities resulted in either forceful or voluntary racial segregations for centuries. Although the Fourteenth and Fifteenth Amendments promised equal legal protections regardless of sex, nationality and skin color, minorities have still suffered from various kinds of racial discrimination.

In the course of the Civil Rights movement, there were several important Supreme Court decisions which benefited all ethnic groups to improve their political, economic, and social status in the United States. In the most famous, *Brown v. Board of Education* in 1954, the Supreme Court ruled that racial segregation was unconstitutional because it violated the Fourteenth Amendment's Equal Protection Clause.[1] But *Brown* was not the only case which affected minorities.

In the early twentieth century, Mexican and Japanese American farm workers organized a labor union and joined a strike together at Oxnard, California, protesting wage cuts.[2] During the Civil Rights movements from the late 1940s to the early 1970s, Japanese and Mexican Americans also courageously fought against inequalities, which resulted in court decisions that made significant racial progress in the course of U.S. history.

Japanese Americans, who have been in the United States more than one hundred fifty years, earlier than many European immigrants, had tremendous losses through their experiences with the internment camps.[3] During the 1940s Japanese Americans were not only legally put into the camps, but also their lands were unjustly confiscated by California. In the late 1940s, however, three Japanese Americans separately filed law suits against the confiscation of their lands, challenging California's Alien Land Law. The law prohibited Fred Oyama's alien father from buying land and giving it to his U.S. citizen son. Oyama lost in the

California Supreme Court, but appealed to the United States Supreme Court.[4] The Court ruled in *Oyama v. California* in 1948 that the Alien Land Law was obviously racially discriminatory and unconstitutional because it violated Fred Oyama's rights under the Fourteenth Amendment.[5] The court decision gave Japanese Americans legal equality with all other immigrant citizens, which had been a fundamental struggle from the beginning.[6] In November, 1946, California voters were asked to validate the Alien Land Law, but that Proposition 15 was defeated by a margin of 3 to 2, and ten years later Proposition 13 repealed the Alien Land Law by a margin of 2 to 1. Many people believed the credit should go mostly to the Japanese American Citizens League.[7]

Oyama's victory against the Alien Land Law also led to the 1952 McCarran-Walter Act to repeal the racial restrictions of the 1790 naturalization law which prevented the immigration and naturalization of Asians.

Similarly, Mexican Americans, whose ancestors were already here before the Mexican-American War, also defended their lands and fought against the violation of the property rights in the nineteenth century. Mexican Americans also often experienced tremendous racial conflicts caused by various abuses, mistreatments, and violence which forced them into segregated schools and facilities "through the use of containment and dispersal policies" in the nineteenth and the twentieth centuries.[8]

Compared to Japanese Americans, Mexican Americans more often fought against various inequalities. *Hernandez v. Texas* in 1954 was a Supreme Court case which challenged Mexican-American discrimination in jury selection. U.S. Supreme Court Chief Justice Earl Warren held that the Texas court was in error by "limiting the scope of the equal protection clauses to the white and negro classes" and that Mexican Americans were entitled to the

protection of the Fourteenth Amendment of the U.S. Constitution."[9] Of course, all other racial and ethnic groups could now fight discrimination through Fourteenth Amendment challenges.

After the *Hernandez* decision, Mexican Americans won a series of other Supreme Court cases extending their legal protections. The cases included *Allen v. State Board of Elections* in 1969 which prohibited discriminatory alterations in voting and registration systems; *Graham v. Richardson* in 1971 which gave aliens equal benefits of the state welfare; *Espinoza v. Farah Manufacturing Company* in 1973 which provided an equal employment opportunity regardless of citizenship status under the Civil Rights Act of 1964; and *Lau v. Nichols* in 1974 which provided an equal educational opportunity to those who did not speak English.[10]

Although these examples of resistance and victories were not followed by immediate drastic changes, both Japanese and Mexican Americans gradually attained significant economic, political, and social success over time. For example, Japanese Americans achieved the second highest average income which was even higher than Whites and next to Asian-Indian Americans in the U.S. Census of 1980.[11] Mexican Americans improved in their education in which 10.6% held a bachelor's degree or more in 2000 compared to 7.8% in 1970.[12] In 1981, Peter Irons, a law historian, discovered archival documents which showed evidence that three law suits filed by Japanese Americans in the 1940s against the internment camps, had been suppressed. In 1988, the Civil Liberties Act provided $20,000 each to surviving internees for an apology. [13]

History has proved that racial discrimination was quintessentially wrong as "Americans originated from many shores, and that all of us are entitled to dignity."[14] In all of these cases discussed here, the United States Supreme Court vigorously agreed.

Notes

[1] Ronald Takaki, *A Different Mirror: A History of Multicultural America* (Boston: Little, Brown and Company, 1993), 402; Brown v. Board of Education, 347 U.S. 483 (1954).
[2] Ibid., 187.
[3] Ibid., 7.
[4] Ronald, Takaki, *Strangers From A Different Shore: A History of Asian Americans*, (Boston: Little, Brown and Company, 1998), 412.
[5] Oyama v. California, 332 U.S. 633 (1948).
[6] Harry Takagi, JACL official, quoted in Takaki, *Strangers,* 412-413.
[7] Ibid.
[8] Sonia G. Benson, ed., *The Hispanic American Almanac*, 3d. ed., (Farmington Hills, MI: Gale, 2003), 384.
[9] Ibid., 309-310; Hernandez v. Texas, 347 U.S. 475 (1954).
[10] Ibid., 310-311; Allen v. State Board of Elections, 393 U.S. 544 (1969); Graham v. Richardson, 403 U.S. 365 (1971); Espinoza v. Farah Manufacturing Company, 411 U.S. 86 (1973); Lau v. Nichols, 414 U.S. 563 (1974).
[11] Harry H. L. Kitano and Roger Daniels, *Asian Americans: Emerging Minorities*, 3d. ed. (Upper Saddle River, NJ: Prentice Hall, 2001), 190.
[12] Benson, 395.
[13] John Mack Faragher, gen. ed., *The American Heritage Encyclopedia of American History* (New York: Henry Holt and Co., 1998), 468.
[14] Takaki, *Strangers*, 15.