

**“By the Code of Humanity”:**

**Ralph Carr Takes a Stand for Japanese-American Rights in World War II**

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Historical Paper

Paper Length: 2,496 words

## **“By the Code of Humanity”: Ralph Carr Takes a Stand for Japanese-American Rights in World War II**

*The world's great melting pot is peopled by the descendants of every nation in the globe. It is not fair for the rest of us to segregate the people from one or two or three nations and to brand them as unpatriotic or disloyal regardless. [...] Let it be understood that such conduct is not approved by the code of humanity.*

— Ralph Carr, radio address, February 28, 1942

On February 19, 1942, President Franklin Delano Roosevelt issued Executive Order 9066, stating that “the right of any person to enter, remain in, or leave [areas prescribed by the Secretary of War] shall be subject to whatever restrictions the Secretary [...] may impose.”<sup>1</sup> The order caused Japanese Americans on the West Coast to be forcibly relocated to internment camps for much of World War II, stripping thousands of their liberties and livelihoods.<sup>2</sup> Yet as suspicion of anyone with Japanese ancestry swept the United States, one elected official steadfastly refused to be overwhelmed by the growing panic. He was Ralph Carr, the twenty-ninth governor of Colorado and the only US governor to take a stand for Japanese-American rights during World War II.<sup>3</sup> Though this stand would eventually cost Carr his career, it profoundly influenced minority rights in the United States, with a legacy that continues today. His actions not only enabled thousands of Japanese Americans to avoid the devastating impacts of internment, but also helped to bring internment to an end by bolstering the voices of those who opposed it.

Finally, Carr’s affirmation of minorities’ constitutional freedoms renewed Colorado’s

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<sup>1</sup> Exec. Order No. 9066, 3 C.F.R. 1092 (1942). Accessed March 5, 2017. <https://www.ourdocuments.gov/doc.php?flash=false&doc=74&page=transcript>.

<sup>2</sup> Michael McCone, introduction to *Executive Order 9066* (Burbank: Fremont Press, 1992), 9.

<sup>3</sup> Richard Reeves, *Infamy: The Shocking Story of the Japanese American Internment in World War II* (New York: Henry Holt, 2015), 99.

commitment to protecting all citizens' rights and left a lasting impact on his state.

### **Hysteria after Pearl Harbor**

Ralph Carr had neither expected, nor wanted, to be governor. Born December 11, 1887, in Rosita, Colorado, he had worked since the age of six to support his family before attending the University of Colorado for his undergraduate and law degrees.<sup>4</sup> He would later attribute his views on racial equality to his upbringing in Rosita, declaring of his stance on Japanese-American internment, "I was brought up in a small town where I knew the shame and dishonor of race hatred. I grew to despise it because it threatened the happiness of you and you and you."<sup>5</sup>

In 1929, President Herbert Hoover selected Carr to be the US attorney for Colorado.<sup>6</sup> While serving in this position, Carr reluctantly launched his 1938 gubernatorial campaign at the behest of Colorado Republicans.<sup>7</sup> Having become a public favorite for his plan to repair the state's tattered finances, Carr won by 49,000 votes in 1938 and was reelected by a margin of 51,000 votes in 1940.<sup>8</sup> (See Appendix A.)

As governor, much of his work dealt with water rights, which in Colorado's arid climate were vital to the agricultural economy.<sup>9</sup> This work later informed his stance on Japanese internment, as fighting the Arkansas Valley Authority (AVA) in 1938 enabled Carr to fully

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<sup>4</sup> Adam Schrager, *The Principled Politician: The Ralph Carr Story* (Golden: Fulcrum Publishing, 2008), 82-83.

<sup>5</sup> Quoted in Reeves, *Infamy*, 99.

<sup>6</sup> Schrager, *The Principled Politician*, 29.

<sup>7</sup> *Ibid.*, 11-16.

<sup>8</sup> "New Governor," *Craig Empire Courier* (Craig, CO), Nov. 9, 1938; *Abstract of Votes Cast* (Denver: Bradford-Robinson, 1940), 9.

<sup>9</sup> Schrager, *The Principled Politician*, 65.

understand the power of precedent in shaping constitutional interpretations. The Tennessee Valley Authority (TVA), created in 1933 to provide electricity and flood control to the Tennessee Valley, had garnered significant public support, and amid faltering judicial and public approval of the New Deal several years later, federal officials devised the similar AVA, which nationalized control over Western water rights.<sup>10</sup> Carr worked to prevent this measure from passing after discovering that its authors had yet to even visit the region, and were merely using the TVA to rapidly pass the AVA.<sup>11</sup> Fighting the bill gave him crucial insight into the power of precedent, which he would later voice when warning of the dangerous example set by internment.

Carr was at the midpoint of his second term as governor when the Japanese struck Pearl Harbor on December 7, 1941. Congress quickly responded with a declaration of war on December 8.<sup>12</sup> As the country prepared for conflict, shocked Americans panicked at the possibility of saboteurs aiding Japan from inside the United States.<sup>13</sup> One man wrote Carr to describe how Japanese students at the Colorado School of Mines “took pictures and many notes” while visiting a local mine, adding that “the productive capacity of the Axis could be due to the fact the Axis [powers] are applying my Geological [*sic*] data in their mining operations.”<sup>14</sup>

Politicians’ increasing tendency to treat Japanese-American citizens as foreigners only augmented this hysteria, such as when General DeWitt declared that “a Jap’s a Jap [...] whether

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<sup>10</sup> Aaron D. Purcell, “Struggle Within, Struggle Without: The TEPCO Case and the Tennessee Valley Authority, 1936-1939,” *Tennessee Historical Quarterly* 61, no. 3 (2002): 201.

<sup>11</sup> Schrager, *The Principled Politician*, 67.

<sup>12</sup> *Ibid.*, 81.

<sup>13</sup> K. D. Richardson, *Reflections of Pearl Harbor: An Oral History of December 7, 1941* (Westport, CT: Praeger, 2005), 104, <http://www.questiaschool.com/read/119714440/reflections-of-pearl-harbor-an-oral-history-of-december>.

<sup>14</sup> George Gillespie to Ralph Carr, February 28, 1942, Carr Collection, Colorado State Archives.

the Jap is a citizen or not.”<sup>15</sup> Public sentiment and the popular press overwhelmingly supported the incarceration of Japanese Americans. On February 18, 1942, for example, one Colorado newspaper editor endorsed Pulitzer Prize winner Westbrook Pegler’s view that “the Japanese in California should be under armed guard to the last man and woman right now and to hell with habeas corpus until the danger is over.”<sup>16</sup> Government leaders evidently felt the same way: one day later, President Roosevelt issued Executive Order 9066.

The order outraged Carr, who vehemently believed that all American citizens, regardless of race or ethnicity, should be guaranteed their constitutional rights.<sup>17</sup> Such a violation of these freedoms seemed increasingly inevitable, however, with reports emerging that Japanese Americans would soon be relocated to internment camps.<sup>18</sup> As rumors spread of the possibility of such camps in Colorado, Coloradans grew furious at the idea of having “yellow devils” in their state.<sup>19</sup> Many threatened violence towards Japanese Americans, with a report from the Immigration and Naturalization Service describing how one man planned to go “Jap hunting” if internees arrived.<sup>20</sup> (See Appendix B.)

Given this escalating tension, Carr felt it more imperative than ever that he firmly express the state’s official stance on Japanese internment. On February 28, 1942, he delivered a radio address to establish Colorado’s twofold position on the subject. First, if the federal government

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<sup>15</sup> Greg Robinson, *By Order of the President: FDR and the Internment of Japanese Americans* (Cambridge, MA: Harvard University Press, 2003), 131, <http://www.questiaschool.com/read/119277348/by-order-of-the-president-fdr-and-the-internment>; quoted in Schragger, *The Principled Politician*, 177.

<sup>16</sup> C.A. Stoddard, editorial, *Craig Empire Courier* (Craig, CO), Feb. 18, 1942.

<sup>17</sup> Schragger, *The Principled Politician*, 133.

<sup>18</sup> Neil West Kimball, “Short Miscellany,” *Steamboat Pilot* (Steamboat Springs, CO), March 5, 1942.

<sup>19</sup> *Ibid.*

<sup>20</sup> Fred D. Fleming to Ralph Carr, Feb. 24, 1942, Carr Collection, Colorado State Archives.

determined that Japanese immigrants deemed dangerous to the war effort should be imprisoned in the state, “then we of Colorado are big enough and patriotic enough to do our duty” without objecting merely because of Coloradans’ racial bias.<sup>21</sup> Despite this, Colorado would neither endorse these camps nor offer military support for them.<sup>22</sup> Second and most importantly, Carr differentiated in his radio address between interning supposedly dangerous enemy aliens and imprisoning American citizens in violation of their constitutional rights. He further denounced discrimination against immigrants and their families, reminding listeners, “In Colorado there are thousands of men and women and children [...] who by reason of blood only, are regarded by some people as unfriendly. [...] [Many] are American citizens, with no connection with or feeling of loyalty toward the customs and philosophies of Italy, Japan, or Germany.”<sup>23</sup> As he concluded his speech, Carr stressed the ethical cost of violence against such people. Intolerance and discrimination, he declared, are “not approved by the code of humanity.”

### **Affirming Japanese-American Rights**

Reactions to Carr’s stance came swiftly, as illustrated by the flood of angry letters he received following his address. One Coloradan instructed Carr to “regard this letter as a *vigorous protest against* any of those damned Japs being sent to this state,” while another told him that “those yellow rats [...] breed like termites and can be trusted *less*.”<sup>24</sup> Many demanded a stance like that of Wyoming’s governor, who threatened, “If you bring Japanese into my state, I promise

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<sup>21</sup> Ralph L. Carr, radio address, Feb. 28, 1942.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> George King to Ralph Carr, March 2, 1942, Carr Collection, Colorado State Archives; anonymous to Ralph Carr, Carr Collection, Colorado State Archives.

you they will be hanging from every tree.”<sup>25</sup> Among Western state leaders, only Carr refused to make similar declarations.<sup>26</sup>

Carr also received hundreds of pleas from Japanese Americans seeking to move to Colorado before relocation was implemented. He responded to each with a copy of his message to US military commander Herman Goebel, in which he reaffirmed Japanese Americans’ constitutional freedoms and stated that “no Governor has the right to deny to any American citizen or to any other person living in the country legally the right to enter or to reside in or to cross his state.”<sup>27</sup> He reiterated this position in his responses to angry constituents, reminding them, “Do not think that injustice should be visited upon the innocent because of misconduct of individuals.”<sup>28</sup> Carr further reinforced this commitment to Japanese-American rights when he halted passage of a 1942 bill eliminating Japanese Americans’ citizenship in Colorado.<sup>29</sup>

This affirmation of Japanese-American rights had an enormous impact. Terrified of being forcibly relocated to internment camps, many Japanese Americans decided to flee the West Coast before internment was officially imposed on March 1, 1942. Because of Carr’s open-hearted stance, Colorado became one of their most common destinations. By June 8, 1942, 1,605 people of Japanese descent, 70% of them American citizens, had already fled to the state.<sup>30</sup>

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<sup>25</sup> Quoted in Reeves, *Infamy*, 98.

<sup>26</sup> Bill Hosokawa, *Nisei: The Quiet Americans* (Boulder: University Press of Colorado, 2002), 338.

<sup>27</sup> Ralph Carr to Herman P. Goebel, Jr., July 2, 1942, Carr Collection, Colorado State Archives.

<sup>28</sup> Ralph Carr to Kathryn Mowe and Mildred E. Mowe, April 1, 1942, Carr Collection, Colorado State Archives.

<sup>29</sup> 134 Cong. Rec. 11010 (Aug. 5, 1988) (statement of William Lester Armstrong). Accessed March 17, 2017. <http://congressional.proquest.com.ezproxy.denverlibrary.org/congressional/docview/t17.d18.9ef19be0cd70cc0b?accountid=37073>.

<sup>30</sup> E.L. Reilly to Ralph Carr, June 12, 1942, Carr Collection, Colorado State Archives.

These refugees narrowly escaped the devastating impacts of internment. Internees suffered irreparable economic losses, as financial opportunists purchased evacuees' possessions at a fraction of their worth.<sup>31</sup> Property left in storage was often stolen or vandalized, and escheatment proceedings (in which the state seized unworked land) were frequently begun against interned farmers, many of whom were paid only around one-tenth of the land's true value.<sup>32</sup> The human costs of internment far exceeded this, however. Jeanne Wakatsuki Houston recalled that due to internment, her family "collapsed as an integrated unit. Whatever dignity or feeling of filial strength we may have known before December 1941 was lost."<sup>33</sup> The distrust and lack of freedom that pervaded internment took an enormous psychological toll on internees, many of whom began to work through the emotional harms of their experiences only several decades after internment ended.<sup>34</sup> Ted Nagata described the impacts of internment on his mother, stating that "the stress of incarceration [...] affected her to the point where she couldn't carry on."<sup>35</sup> By enabling Japanese Americans to avoid internment by fleeing to Colorado before relocation officially took effect, Carr saved thousands of citizens from suffering these adverse consequences and safeguarded their rights and livelihoods.

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<sup>31</sup> Donald Pike and Roger Olmstead, introduction to *Executive Order 9066* (Burbank: Fremont Press, 1992), 22-23.

<sup>32</sup> *Ibid.*

<sup>33</sup> Jeanne Wakatsuki Houston and James D. Houston, *Farewell to Manzanar* (New York: Houghton Mifflin, 1973), 33.

<sup>34</sup> Don T. Nakanishi, introduction to *Executive Order 9066* (Burbank: Fremont Press, 1992), 11.

<sup>35</sup> Ted Nagata, interview by Megan Asaka, "Psychological Effects of Camp," *Densho Encyclopedia*, June 3, 2008, [http://encyclopedia.densho.org/Psychological\\_effects\\_of\\_camp/#Postwar\\_Impacts](http://encyclopedia.densho.org/Psychological_effects_of_camp/#Postwar_Impacts).

## Carr's Lasting Legacy

One letter-writer related to Carr how she and her husband “scarcely hear anything but this: ‘If Governor Carr lets the Japs in here, well, that’s the end of his political career in Colorado.’”<sup>36</sup> Yet let them in he did, and as predicted, the action doomed his political career. In 1942, he ran for the Senate, facing incumbent Ed Johnson.<sup>37</sup> Johnson made Carr’s opposition to internment the main issue in the race, painting Carr as an enemy of national unity.<sup>38</sup> Unsurprisingly, Carr lost the race, albeit by a narrow margin.<sup>39</sup>

However, Carr’s effect on minority rights continued long after his time in government. This came in part from the powerful publicity he had attracted as an elected official protesting Japanese-American internment. Carr received not only thousands of protest letters, but also many letters of support, with one man declaring that “no Governor of our great state ever spoke to the people with greater patriotism, Americanism, and valor than you.”<sup>40</sup> However, the voices of those who stood with Carr were drowned out by those of the majority. Gallup polls from 1942 found that 73% of Americans believed the Japanese to be “treacherous” while 63% believed them to be “sly.”<sup>41</sup> By December 1942, only 35% of Americans believed that relocated Japanese Americans should be allowed to return to their homes after the war.<sup>42</sup> Even public figures who

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<sup>36</sup> Hannah A. Steele to Ralph Carr, Feb. 18, 1942, Carr Collection, Colorado State Archives.

<sup>37</sup> Neil West Kimball, “Carr and Johnson Big Show,” *Steamboat Pilot* (Steamboat Springs, CO), July 23, 1942.

<sup>38</sup> *Ibid.*

<sup>39</sup> Schrager, *The Principled Politician*, 305.

<sup>40</sup> Lee Everett Minton to Ralph Carr, March 1, 1942, Carr Collection, Colorado State Archives.

<sup>41</sup> Schrager, *The Principled Politician*, 175.

<sup>42</sup> “WWII-Era Support for Japanese Internment,” *Gallup*, Aug. 31, 2016, <http://www.gallup.com/vault/195257/gallup-vault-wwii-era-support-japanese-internment.aspx>.

had previously supported the Japanese, such as Earl Warren, strongly endorsed internment, and as a result, people heard few voices advocating for Japanese-American rights.<sup>43</sup>

Carr's stance on this issue, however, made headlines across the country, with his position as an elected official forcing both journalists and politicians to acknowledge internment's constitutional violations. This heightened national consciousness is evident in the propaganda film *A Challenge to Democracy*, produced in 1944 by the War Relocation Authority (WRA), which carried out Japanese-American internment. While an earlier companion film failed to mention constitutional concerns, *A Challenge to Democracy* directly responded to them, claiming that internment was only a temporary step in relocating Japanese-Americans "so there can be no question of the constitutionality of any part of the actions taken by the government to meet the dangers of war [and] no law-abiding American need to fear for his own freedom."<sup>44</sup>

Facilitated in great part by Carr's stance and its resulting publicity, this increased consciousness of Japanese-American internment's constitutional violations led to the choice to terminate it in December 1944. Dillon Myer, the former head of the WRA, recounted that the organization decided to end internment before the war concluded specifically in response to increasing public consciousness of internment's unconstitutionality.<sup>45</sup> Carr's stand for Japanese-American rights and the publicity it garnered thus hastened the decision to end internment, further demonstrating the profound influence that Carr's position had for Japanese Americans.

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<sup>43</sup> Robinson, *By Order of the President*, 126.

<sup>44</sup> *Japanese Relocation*, U.S. War Relocation Authority, 1942, accessed March 19, 2017, <https://archive.org/details/Japanese1943>; *A Challenge to Democracy*, U.S. War Relocation Authority, 1944, accessed March 11, 2017, <https://archive.org/details/Challeng1944>.

<sup>45</sup> Dillon S. Myer, *Uprooted Americans: The Japanese Americans and the War Relocation Authority During World War II* (Tucson: University of Arizona Press, 1971), 278.

Yet Carr's impact on minority rights stretched far beyond these tangible effects. Rather, his stand for Japanese-American rights established Colorado as a diverse state protective of all citizens, regardless of race or ethnicity. A thriving Japanese-American community was established in Denver after the war by many Japanese Americans who had fled the West Coast and were inspired to stay in Colorado by the kindness shown to them by Carr.<sup>46</sup> Additionally, Carr's emphasis on guaranteeing all citizens their constitutional rights gave Coloradans a firm reminder of the values of equality upon which the United States was founded, as demonstrated when Colorado voters soundly defeated a 1944 measure intended to prohibit Japanese land ownership.<sup>47</sup>

Even today, reminders of Carr's legacy abound in the state. Carr is the only Colorado governor to be memorialized in three places in the state capital, most significantly in the Ralph Carr Judicial Center.<sup>48</sup> Additionally, a bill known as the "Ralph Carr Freedom Defense Act," proposed to the Colorado General Assembly in early 2017, reaffirms Colorado's commitment to protecting all citizens, regardless of race, ethnicity, or religion.<sup>49</sup> By taking a stand for Japanese-American rights, Carr impressed upon Coloradans the importance of defending each citizen's constitutional freedoms, and established Colorado as a state which would protect all citizens' rights, even to the present day.

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<sup>46</sup> Bill Hosokawa, *Colorado's Japanese Americans: From 1886 to the Present* (Boulder: University Press of Colorado, 2005), 8.

<sup>47</sup> *Ibid.*, 118.

<sup>48</sup> *Ibid.*, 98.

<sup>49</sup> Ralph Carr Freedom Defense Act, S. 17-1230, 71st Gen. Assem., 1st Reg. Sess. (Colo. 2017).

### Living “by the Code of Humanity”

In 1950, Carr was persuaded by Colorado Republicans to run for a third term as governor.<sup>50</sup> Sadly, he died halfway through his campaign on September 23, 1950, from complications from diabetes.<sup>51</sup> In 1976, local Japanese Americans erected a bust of Carr in Denver, accompanied by a plaque affirming that “the precious democratic ideals he espoused must forever be defended against prejudice and neglect.”<sup>52</sup>

This espousal of the constitutional rights of all Americans, regardless of race or ethnicity, had profound implications for minority rights in the United States. In addition to enabling thousands of Japanese Americans to avoid the adverse consequences of internment by welcoming them to Colorado before relocation took effect, Carr bolstered the voices of those opposing Japanese-American internment and thus contributed to the decision to end internment prior to the war’s conclusion. Finally, Carr established Colorado as a state committed to protecting all citizens’ rights, influencing policy even to the present day. This stand for Japanese-American rights amidst the fear and panic of World War II proved Carr to be a man who not only espoused, but also truly lived by, “the code of humanity.”

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<sup>50</sup> Schrager, *The Principled Politician*, 325.

<sup>51</sup> Ibid.

<sup>52</sup> Quoted in Bill Hosokawa, “September 10, 1976,” in *Thirty-Five Years in the Frying Pan* (New York: McGraw Hill, 1978), 268.

## Appendix A



Carr, at left, was inaugurated for his second term as governor on January 14, 1941, after winning reelection by a wide margin.<sup>53</sup> It was while serving this second term that he would take a stand for Japanese-American rights following the Japanese attack on Pearl Harbor.

*Ralph L. Carr being sworn in, 1941.* Jan. 14, 1941. The Denver Post. <http://www.denverpost.com/2016/12/06/ralph-carr-colorado-japanese-internment/>.

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<sup>53</sup> *Abstract of Votes Cast* (Denver: Bradford-Robinson, 1940), 9.

## Appendix B

PUEBLO, COLO., FEB. 24--(INS)--A RANCHER LIVING NEAR A CCC CAMP IN SOUTHERN COLORADO TODAY WANDERED INTO A SPORTING GOODS STORE AND DEMANDED:

"TWO BOXES OF .30-30S."

"GOING DEER HUNTING?" ASKED THE CLERK.

"NOPE," THE MOUNTAINEER REPLIED, "JAP HUNTIN' -- THAT IS, IF ANY OF 'EM WANDER TOO FUR FROM CAMP!"

THE CAMP NEAR THE RANCHER'S HOME IS ONE OF SEVERAL HUNDRED IN THE ROCKY MOUNTAIN REGION THAT LOCAL CITIZENS BELIEVE WILL BE USED AS KONCENTRATION CAMPS FOR JAPANESE.

This news story was released by the Immigration and Naturalization Service on February 24, 1942. Threats made towards Japanese Americans in Colorado became commonplace as rumors began to spread that internment camps might be located in the state.

Fred D. Fleming to Ralph Carr. February 24, 1942. Carr Collection. Colorado State Archives. Courtesy of Colorado State Archives.