

of the investigation and documentation of cases of unnatural death in the Siamese capital” (p. 145). When their partnership ended, however, the era of forensic medicine ended too and forensic investigation “once again became the domain of untrained police officers,” autopsy reports and death certificates disappeared, and the executive authority of elite officials returned (p. 150).

Brilliantly organized and eloquently written, *Sovereign Necropolis* is a notable and original contribution to our understanding of modern Thai history. Pearson recovers a forgotten yet crucial moment in Thai history by calling our attention to the lost voices of the subaltern dead and injured, and by bringing to the fore the social actors and institutions who were very much a part of this period of transition and transformation (p. 39). In doing so, he offers a refreshing new perspective to normative accounts of Thai history and casts new light on power and politics in fin-de-siècle Siam.

Reviewed by Piya PANGSAPA
Thammasat University

Legal History of Anti-Asian Racism in America

The Rise and Fall of America's Concentration Camp Law: Civil Liberties Debates from the Internment to McCarthyism and the Radical 1960s. By Masumi IZUMI. Philadelphia: Temple University Press, 2019. 274 pp. Hardcover \$69.50
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Anti-Asian racism represents a prominent theme within the larger history of American race relations. After successfully lobbying Congress to bar Chinese labourers in 1882, West Coast exclusionists continued their crusade to prevent the arrival and establishment of Asian immigrant communities, and enacted restrictive laws such as the California Alien Land Act of 1913. As Asian Americans challenged these laws in court, the judiciary intervened in support of exclusion. In 1922, the Supreme Court ruled in *Ozawa v. United States* that Japanese immigrants were not eligible for citizenship and ruled a year later in *Thind v. United States* that South Asians were also excluded. In the wake of the Johnson-Reed Act of 1924, the complete exclusion of Asian immigrants from the US remained the law of the land for a generation.

Despite this history of racial discrimination against Asian immigrants, the incarceration of Japanese nationals and Americans of Japanese descent during World War II represented a broader violation of the principles of the US Constitution. Between 1942 and 1946, 120,000 individuals of Japanese ancestry from the West Coast of the US, irrespective of their citizenship status, faced forced removal and incarceration in a set of ten concentration camps administered by the federal government. Although justified by War Department leaders and White House authorities as an act of “military necessity,” the influence of racism on their actions, already apparent to many observers at the time, was shown by a series of later historians and activists to be decisive. American citizens of Japanese ancestry challenged their removal and confinement in a succession of cases, four of which ended up being heard by the Supreme Court: the cases of *Hirabayashi*, *Yasui*, *Korematsu*, and *Endo*. Even though, in *Endo*, the justices formally overturned the indefinite confinement of concededly loyal citizens, leading the government to lift the West Coast

ban on individuals of Japanese ancestry, in the remaining cases, the court sanctioned the government's actions.

Whereas scholars such as Peter Irons, Frank Chuman, Eric Yamamoto, and Lorraine Bannai have focused heavily on the wartime Supreme Court cases and their influence on US law—including serving as legal precedent for future court cases—less attention has been given to the influence of the Japanese American incarceration on the US Congress and its subsequent law-making role. Masumi Izumi's *The Rise and Fall of America's Concentration Camp Law* represents one of the first important studies in this area. At the centre of Izumi's book is Title II of the 1950 Internal Security Act, or the McCarran Act. This clause granted the president of the US and the Attorney General the "power to apprehend and detain any person who the government suspected might engage in acts of espionage and sabotage in the event of invasion, war, or insurrection" (p. 1). Izumi traces this law from its passage, amidst McCarthyist hysteria, to its eventual repeal during the Vietnam War, following a campaign directed in concert with the anti-war movement.

Izumi's book is organized into five chapters. Chapter 1 introduces the history of the wartime incarceration of Japanese nationals and Japanese Americans, and the relationship of race to the definition of loyalty. In addition to discussing the history of anti-Asian sentiment in the US, Izumi charts out previous attempts to limit civil liberties, such as the Supreme Court case of *Schenk v. U.S.* (1919) and the passage of the Alien Registration Act of 1940, which later set the stage for Executive Order 9066. Chapter 2 examines the multiple legacies of the incarceration upon the passage of Title II and highlights passages in Congressional debates citing the Japanese American incarceration and deploring the recycling of anti-Japanese sentiment for use in anti-Communism. Even as Congress debated the language of the initial Bill, liberal Congress members and legal scholars began to warn of the dangerous implications of the law if invoked. Although the law stipulated that arrests could only occur during national emergencies such as war, critics anxiously noted the vagueness of the law's definition of "national emergency." As Izumi notes, such concerns were voiced, in particular, by Japanese Americans, who had experienced years of incarceration without due process and for causes justified as "national security" but increasingly shown to be dubious.

Chapter 3 examines the usage of the law to expand the role of the FBI as a tool of national security and to construct concentration camps, including one on the site of the former Japanese American camp at Tule Lake. The FBI also prepared enemy watch lists that targeted civil-rights leaders and labour organizers for detention in the event of the implementation of the law. Perhaps the most exceptional part of the book is Chapter 4, which examines the birth of the Repeal movement within the Japanese American community. Chapter 4 shows how former camp prisoners and their children formed coalitions with African American activists and leftists to push Congress to remove Title II from the law. Chapter 5 follows the repeal movement of Title II into the halls of Congress, and again connects the story of Title II with the larger history of Japanese Americans. The author notes that Japanese American members of Congress such as then Representative Spark Matsunaga of Hawaii, led the repeal and drafted the legislation that became the Non-Detention Act of 1971. Liberal members of Congress used the repeal movement to express regret over the wartime incarceration, even as conservative members supported repeal to assuage public anxieties about arbitrary detention. The conclusion of Izumi's book illustrates the legacy of Title II upon the War on Terror and present-day activism among Japanese Americans, noting how the lessons of Title II demonstrate the ways in which "the boundaries of American citizenship are manipulated through legal and extralegal violence" (p. 178).

Izumi's principal contribution is to trace the influence of the wartime actions against Japanese Americans on the history of the law. While most existing studies examine Title II within the context of the early Cold War and Vietnam War, Izumi presses readers to think

about the Japanese American experience as both a precedent for the law and a keystone for activists pushing for the repeal of the law in 1971. Izumi's book is therefore in dialogue not only with scholarship on the Cold War, but also with that of activism in relation to the Japanese American Redress Movement of the 1970s-1980s.

As it stands, Izumi's *The Rise and Fall of America's Concentration Camp Law* also provides readers with one of the first Congressional histories related to Japanese American history, and will serve as a useful guide for future scholars in the field. Although scholars such as Alice Yang (Murray) have examined the role of Congress in relation to the Redress movement and the passage of the 1988 Civil Liberties Act, the full history of the role of Congress in implementing and overseeing the incarceration of Japanese Americans in World War II remains to be written.

For international scholars, this book also includes additional material for considering the role of arbitrary incarceration within democratic societies. While scholars such as Roger Daniels and Greg Robinson have pushed their colleagues to examine the wartime confinement of Japanese nationals and citizens of Japanese ancestry in transnational contexts, there has been little examination of the legal legacies of such actions internationally.¹ Izumi's book serves as a template for examining cases of emergency laws in other nations. In France, Law 55-385, enacted by the French *Assemblée Nationale* to deal with civil unrest during the Algerian War of Independence, remains in use to subvert the rule of law and cover political censorship. Overall, *The Rise and Fall of America's Concentration Camp Law* is an excellent text not only for American historians, but also for legal scholars interested in arbitrary detainment and civil liberties globally.

Reviewed by Jonathan VAN HARMELEN
University of California, Santa Cruz

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The State and the Corporation as Legal Fictions: Original Nation and Dissent

Original Nation Approaches to Inter-National Law: The Quest for the Rights of Indigenous Peoples and Nature in the Age of Anthropocene. By Hiroshi FUKURAI & Richard KROOTH. New York: Palgrave Macmillan, 2021. xxii + 370 pp. Hardcover \$127.99 doi:10.1007/978-3-030-59273-8
doi:[10.1017/als.2021.40](https://doi.org/10.1017/als.2021.40)

This book is hard to read—not because of its style or complexity, but because its message is shocking. Reading it produces the type of shock we would feel on discovering that

¹ Historian Yuriko Nagata and novelist Christine Piper, among others, have examined the wartime experiences of Japanese Australians, while Judith Bennett highlights the methods by which the New Zealand government repatriated its small Japanese population before the end of the war, as a comparison to Australia's own internment policies. See Piper (2014); Bennett (2009).