### Page 8 Part I-Tues., June 1, 1943

# INTERNED JAPS Well Fed, dies Group Finds

Investigators' Reports Show Rationed Foods Plentiful at 10 Relocation Centers

WASHINGTON, May 31.—(AP) —Dies committee investigators reported today that the 85,000odd Japanese being held in 10 relocation centers in this country probably are among the best fed civilians in the world.

Reports filed by the investigators preparatory to the start of public committee hearings into the operation of the relocation centers showed a plentiful supply of beef, pork, mutton, canned pork and beans, potatoes, coffee, canned fish and chocolate bars in the camps, committee spokesmen said. They added that the supplies are furnished by the Army Quartermaster Corps.

### MANZANAR SUPPLIES

The investigators reported a week's shipment to the Manzanar relocation camp in California from the quartermaster depot at Mira Loma, Calif., included 22,-500 pounds of white potatoes, 1330 pounds of coffee, 12,000 pounds of hard wheat flour, 12,-000 pounds of soft wheat flour, 12,000 pounds of pancake flour, more than 5700 jars of marmalade and jams, 14,440 cans of evaporated milk, 180,000 pounds. of rice, 7200 pounds of spaghetti, 21,500 pounds of sugar, 2500 pounds of bananas, 120 boxes of grapefruit containing 300 grapefruit per box, 240 boxes of oranges containing 200 oranges per box, 240 boxes of apples, and 26,000 pounds of fresh vegetables. Meat shipments to the approx-Imately 9000 internees in the camp were said to include 10,000 pounds of beef, 5000 pounds of pork, 2800 pounds of mutton, 1200 pounds of salt pork, 2200 pounds of frankfurters, 2000 pounds of pork livers, 4000 pounds of corned beef, 2800 pounds of fresh pork sausage and 2200 pounds of bologna. The committee hearings will open in Los Angeles June 7.

# Return of Japanese To West Coast

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LOS ANGELES, May 27—At the meeting of the Pacific Coast Japanese Problem Conference yesterday, Rep. John M. Costello protested the so-called movement to return the evacuees to California, thus attacking the act of the Civil Liberties organization to defend the rights of nisei and officials of the WRA.

## BIDDLE OPPOSES

Ex-congressman Letand Ford, another speaker at this session, mentioned that efforts to exclude Japanese from this area were resisted by Attorney General Francis Biddle.

## RESOLUTION PASSED

Meanwhile, the L. A. Bar Association yesterday passed a resolution to ban the Japanese from their West Coast homes "until Japan unconditionally surrenders in total defeat."

Jap Internee

WASHINGTON, May 14.—(AP) —Director Dillon S. Myer disclosed today the War Relocation Authority is "ready to move very soon" to segregate the pro.Japanese from the loyal-to-America

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evacuees of Japanese ancestry in its 10 relocation centers. The segregation, Myer told a press conference, will "have to be done largely on an individual basis." But he added that he thought the WRA could make "most of the moves during the spring and summer."

# Control Urged

Recommendation that city officials demand that Federal and military officials continue to intern Japanese regardless of place of birth was sent to committee by the City Council yesterday. The recommendation was made by Councilman Roy Hampton who declared that the interment of Japanese was necessary not only for the protection of our country and its citizens but also for the safety of the internees themselves.

# Arom the Nation's Press

BOSTON, Mass.-A staff correspondent of the Christian Science Monitor in reviewing the anniversary issue of the Free Press, writes: "In the early days last year, living at Manzanar was not easy. It took pioneering spirit of the highest sort to see it through. Because conditions were hard, many people outside...became very critical of the relocation project, called it un-American. While it probably stays true ... that confinement ... seems hardly desirable ... the Relocation Center at Manzanar has become an integrated community ... As the year number one ends for Manzanar, it seems safe to say that the 'vast majority of the stable stock of its people' are living sensible lives."

WASHINGTON—1500 civilian American prisoners captured by the Japanese in the Far East may be returning to America in exchange for an equal number of Japanese civilians held in the United States. The State Department said that it is indexing the 1500 Japanese civilian prisoners in this country whom the Tokyo government wishes to repatriate in exchange for the Americans.

MILWAUKEE, Wisc.—American born Japanese, who were as incensed as any other America citizen when Japan attacke Pearl Harbor...who are eager prove their loyalty to their coutry are being denied this chan by public prejudice, Hiroshi Neeno, former Manzanar resident and co-op employee told the Men's Breakfast club at the Wauwatosa Methodist church, as he appealed for "an understanding" and a "fair chance" for his comrades of Japanese ancestry.

### or the Greater Good—

It cannot be denied that, for the evacuees, the enacument of the Lowery property seizure bill at Sacramento last week is a disconcerting announcement. It means that valuable properties of the evacuees can be seized by the state authorities under the all-powerful legal technicality of eminent domain proceedings. The effect is emphasized by the fact that scarcity of farm equipment, for instance, is creating premium values on it; notwithstanding the price ceiling established for it by the Office of Price Administration in Washington.

The fact that Governor Warren signed the bill, of course, does not mean the seizures will be effected immediately. But it does mean that the state now has the legal authority to do so. How it will be done, and on what terms, remains to be worked out. The bill carried the appropriation of \$150,000 to finance this program.

#### PROBLEM ARISES

Evacuee farmers here who had hoped to relocate and use their tools now face a problem, and they undoubtedly will be given exhaustive assistance by the evacuee property department.

Before the Japanese property owners cry out that this measure is unjust, it is well for them to remember this fact. The United States is confronting a serious food production problem created by war. The very food we eat in the mess halls can be affected by this shortage. It is a reasonable policy of the government not to permit strategic tools for food production to remain idle.

#### AIMED AT JAPANESE

For its editorial policy, a Los Angeles newspaper emphasized the angle that this law is aimed at the Japanese. Actually, the law affects all owners of idle property. Newspapers have given exaggerated estimates of the amount of such property stored by the Japanese. The number and types of such items probably is best known to the WRA evacuee property office in San Francisco.

## Post-War Immigration - FREE PRESS

The problem of administering the migration of vast hordes of war-dislocated nationals throughout the world cannot be solved. The evacuation of some 100,000 Japanese from the West Coast is but a molecular drop in this huge bucket.

The suggestion of erasing the Chinese exclusion act, simultaneously enacted with the Japanese exclusion act 20 years ago, brought heated opposition from the American Legion and the A. F. of L. last week. The legislation apparently was introduced as a gesture of friendship toward China, a member of the United Nations. But California Congressmen declared that the enactment of such a law might mean that "many Chinese could apply for entry to this country under quotas of other countries."

The implications of this proposition, as suggested by the Congressman, are legion. The right to become naturalized might be the next step. Clearly, a uniform law on quotas and naturalization is needed in America. But that must come after the conclusion of this was when the statesmen can put aside war-borne bitterness, and when they can conceive legislation that will be eminently fair to all peoples.

## 7425 Volunteers Rush to Join Army in Hawaii

Hawaii's answer to the recent re-institution of Americans of Japanese ancestry into the armed services of the United States, was voiced within two weeks by 7425 volunteers, who thronged the draft boards to fill and far exceed the island's quota of 1500 volunteers, according to a recent Associated Press dispatch.

To express "their profound appreciation and gratitude to Lieutenant General Delos C. Emmons" for the opportunity "to show their patriotism in a tangible way," all of the 76 nisei of the Honolulu fire department personnel volunteered their services en masse.

Response to the call for volunteers far exceeded the most optimistic expectations of the reaction of the Hawaiian-Japanese to the opportunity to serve in the U. S. Army.

With voluntary enlistments still being received the number of volunteers is expected to be far above 7425, especially when full reports are received from other inlands.

## **IPR** Research Associa Nisei Problems; Discu

By BRUNO LASKER

Research Associate, Institute of **Pacific Relations** 

tal parent selves mor tal United

The immediate problems of the Japanese Americans, difficult though they are, should not be allowed to occupy too much of our thought. They are, after all, re-lated to more fundamental problems which existed long before the relations between the United States and Japan became critical, and which will continue after the conclusion of the present war.

Americans of Japanese extrac-tion suffer from the double handand f icap of being members of the recognizable Oriental minority and of being identified with a nation which to most Americans is an embodiment of principles in inter-national conduct which they regard as immoral.

I should like to say a few words about both of these handicaps. In the long run, the antagonism to Oriental residents in this country, except where it is reinforced by strong political or economic interests, may be expected to die a natural death. What antagonism remains there today against American Indians? Yet, little more than a century ago that was the racial group most feared and also most despised by the majority of Americans. American Indians today can hardly even be conceived of as a menace. They are accepted with such of their cultural differences as the desire to keep alive; and, indeer they have come to be regarded a important contributors to t American arts of living.

More slowly, because the pot-tial danger of a large Orier accession to our population is s so recent, attitudes toward Orien-

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However, the information is useful if it serves to make the American people and especially the American Government more alert to the very real and ominous prospect of Japanese assaults on the American main-

such an event would be violent.

Japanese in the relocation center at Rivers,

going to happen on the West Coast by Oc-

Many of the interned Japanese are so

sure of it that they are not merely content

to remain in the relocation centers but are

Obviously it is anticipated that Japanese forces will either invade or raid the

The Japanese have every intention of raiding the United States and of invading the United States and of occupying the Pacific Coast of the United States if it is in

any way possible for them to do so. They have planned such operations with utmost care for many years. They unquestionably have formidable

forces in readiness for them.

Pearl Harbor was attacked as a preliminary to this purpose.

The outermost islands of the Aleutians pose.

were occupied in advancement of the pur-And by repelling the attack on Pearl

Harbor and undertaking the reoccupation of Attu we have only interrupted the ful-

abandoned the purpose.

We may be sure the Japanese have not Why should they? Their vast army and

powerful navy and formidable air force are virtually intact. They have won control of

**Grim Reminder** GEN'S of the Dies committee, a spe- historic plan of attack and invasion against **Japs Have Plans** Wherefore, we may be sure the attack

Ariz., anticipate that "something terrible is will come and the invasion will be AT-It is a pity that the responsible authori-

ties of the United States have not prepared

as realistically and effectively for this dire assault as the Japanese have prepared for it. It has long been well known what the CS; Japanese intended.

most insistent about it, since they realize that the public reaction against any Japa-While Hitler was still painting houses nese remaining at large in this country after in Vienna, the Japanese were fortifying the mandated islands of the Pacific. The reliance to be placed in information The hundreds of thousands of Japanese e of found along the Pacific Coast of the United nee States when the war began, and now in re-eneral location camps, were not there by accident. They were the advance forces of invasion, cific coas If we foolishly return them to the Pacific ashington

assist the forthcoming invasion attempt.

If we foolishly return them to the Fachic ashington Coast now they will be ready and able to evacuee to the But it is especially a pity that the re- ng to the sponsible authorities of the United States do not even yet take the menace of Japanese attack and invasion seriously.

What is needed to compel a serious view

of the situation by our American authori-Do they require devastated cities, and

slaughtered populations, to understand the 27, 194 grim and evil character of our war with

Is Washington so near to the European fronts of this war and so busy destroying ake, Socialism and establishing Communism that

nothing but Japanese attack and invasion itself can present the menace to our im-

periled West Coast in its true proportions? acuees from What irony it is that our strategic and vital Pacific Coast, the home of millions of Americans and the site of vast war produc- n center were tion and the point of supply for an produc- according to tion and the point of supply for our entire war in the Pacific, has remained vulnerable so long.

virtually intact. They have won control of nearly all of the Far Pacific. They are in strong and CONSTANTLY STRENGTHEN. ING position to proceed acc. if the time remaining to their it is not utilized in better for than all our wasted time in the past. vice or tormore like Of course, the Japanese in the relocation at Tule Lake centers might not be right that invasion will have occurred have occurred which be attempted this year. They are tragically rgument which right that "something tourible" is right that "something terrible" is going to onnection with happen, if the time remaining to be arding military happen, if the time remaining to us for sarding military averting it is not utilized in better fashion

existing restrict. River-Pacific coast, be er any such re-

r at the Gila l center resulted because of behavior "incompatible with majority interests of other evacuees," according to Leroy H. Bennett, Gila River project director.

Fourteen Tule Lake residents ill and favorably known to all can well afford to are detained at Alturas, Calif. us before the war is over. Japanese - descended and 13 at Klamath Falls, Ore. talent against the Thirteen American-born but Japan-educated persons from "We got the old Gila River were transferred to "We got the old the center at Moab, Utah, while "That's the stuff!' is the FBI agents took into custhis piece of news-a tody the other 14 who were all the conviction that Japanese aliens. They are to democracy can do be held for arraignment before and get away with iously because of it attract and hold the Paso, Texas.

tals are changing. They are, as a matter of fact, of rather arti-ficial origin to begin with, and would have been dissipated much earlier had our citizens of Orien-nese flag, who did not contribute (Co

## **Research Associate Surveys History of Nisei Problems**

forged to keep us apart, so that together we may build for the fu-ture. It is well that ture. It is well that we should at times think of our grandfathers. But it is more important that we should think of our grandsons, for it is they for whom we have to plan and work. Those of us who are immigrants or the children of immigrants, loyal as we are not only to American law, but also to the traditional American spirit as we understand it, nevertheless must be allowed to regard ourselves as charged with very special responsibilities for the future of our country. We see this country not as the final embodiment of great ideals brought here in the eighteenth century by a few western Europeans, but as a living organism which still feeds on the fresh inspiration that comes with new accomplishments throughout the world. Through our own special position as carriers of more than would do to our own thinking and one cultural heritage, we help to keep America spiritually strong, we add to its resources, we keep it abreast of the time. But we cannot contribute to the strength and richness of American life unless we are permitted to work together as absolute equals in a common cause. Whatever there is in the laws of the country or in the customs of any part of it which makes for segregation, for discrimination of any sort, for noncooperation, lessens our effectiveness as Americans, and we must get rid of it. We see in the wartime treatment of Americans of Japanese descent a striking example of how easily a seemingly harm-less recognition of racial differences may lead to crass injus-

often overlook how far-reaching even a small difference in the treatment of one group or the other under our law may become in its effect. That must never happen again. It will not happen again if as individuals and through our organizations we fight any attempt, no matter where it appears and however innocent it may appear, to introduce distinctions between us on the ground of race. Those distinctions which now prevail in law must be removed at the earliest opportune moment. No appeasement of existing prejudices can be tolerated henceforth.

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viqual authorization in writing from the commanding officer of such area.

#### Must Join the Majority

While saying this, I am not forgetful that this is but one as-pect of the task which I see ahead. A purely protesting, negative attack on the problem might be dangerous because of what it feeling about America.

It is not good for any of us to go through life as conscious members of a militant minority unless in many things we feel ourselves to be also members of the great majority of those citizens who harmoniously work together for common ends. Therefore, the program for Americans of Japanese descent, as I see it, is not complete unless more and more of them associate themselves with movements for the advancement of the common good-movements that are entirely unrelated to their

own immediate problems. Too few of the nisei students and professional men have been able in the past to identify themselves as individuals, rather than as Japanese, with organized movements for the improvement of labor conditions, for social reforms, for national and international unity in the pursuit of freedom.

For American citizens of Japanese extraction these times offer not only special problems, but also special opportunities. You can give evidence of your American-ism best by not insisting over-much on it, and by joining with others of your fellow countrymen in the building of a better world.

nisei is an American-born izen whose parents were Japese.

"There are a large number I nisei in the Far West. Most them are as loyal to the nited States as any other oup of Americans. Until cently, however, they were st eligible for service in our med Forces in this war with pan and its Axis partners. About a month ago, Secretary i from then on would be acted for training in special ts, including infantry, artil-, engineer and medical pernel, and would see actua ting service in due course ler present arrangements, ni can get into these servic ugh draft boards in th

munities. It seems beyond dispute that this is the right v handle the matter. We fident, too, that these become tough and vi iters for the count

Japs.

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all manner of people. In ppen-ten ing the Army to nisel, we think not the War Department did its best ise War Stimson announced that single day's work in months." 12-

> The Committee for Democracy declares passage of the bill "will establish the equality of the Asiatic people with all other people, thus providing a fundamental basis for ending discrimination because of race, color, creed or national origin.

"It will be the first time to recognize the Asiatic people in America as part of the whole American people and will lead to their full integration into the national life of our country."

PACIFIC CITIZEN AN 76, 1900

## The ACLU on Judge Fee's Decision: Legality of Citizen Evacuation Challenged by Federal Justice

#### By A. L. WIRIN

#### Counsel, American Civil Liberties Union

In ruling that Lieutenant General J. L. DeWitt's military orders, as affecting American citizens, are void because they abridge constitutional rights, Federal Judge James A. Fee of Portland, Oregon, is the first jurist to question military authority exercised during the present war. While Judge Fee, last week, denied the application for a writ of habeas corpus by Minoru Yasui, American born young lawyer, because Yasui was deemed to have forfeited his citizenship by virtue of employment as a propaganda

agent of the Japanese Government Judge Fee's vigorous and courag- "increasing vigilance" of the eous challenge of the constitutionality of military authority over American citizens established a precedent of great value to the American Civil Liberties Union in the other test cases pending in the courts, involving the constitutionality of the military evacuation orders, as affecting American citizens of Japanese ancestry.

For Judge Fee adopted, and in brilliant fashion espoused the constitutional objections to the military orders voiced by the Ameri-can Civil Liberties Union.

If the higher courts follow the reasoning of Judge Fee, all of General DeWitt's exclusion orders, both those directing wholesale evacuation of Japanese American citizens from the Pacific Coast. and the individual exclusion orders issued against Sam Fusco and others will be set aside.

While recognizing the coopera-tion on the part of the American Japanese with the military authorities in the execution of evacuation orders, Judge Fee began his noteworthy opinion with the observation:

"The fact that the problem of the Japanese citizen and alien, resident in the states bordering the Pacific, has been solved by the army officers in charge, aided by the acquiescence of the vast majority of the American citizens of that race, does not relieve the court from the responsibility of determining the case as here presented.'

Judge Fee acknowledged that the danger on the Pacific Coast is imminent and immediate, but held:

"... that the perils which now encompass the nation, however imminent and immediate, are not more dreadful than those which surrounded the people who fought the Revolution and at whose demand shortly thereafter, the ten amendments containing the very guarantees now in issue were written into the Federal Constitution; nor those perils which threatened the country in the war of 1812, when its soil was in the hands of the invader and the Capitol itself was violated; nor those perils which engulfed the belligerents in the war between the States, when each was faced with disaffection and disloyalty in th territory in its control. Yet each maintained the liberty of the individual." Although urged by the Government, in defense of the military orders, not to follow the opinion of the Supreme Court of the United States in the famous Milligan case, Judge Fee determined that the opinion was binding upon him: that the law as laid down in that decision could not be brushed aside, "except by a process of wishful rationalization."

courts to protect personal rights as against property interests, ob-

serving: "Here no mere property fights are involved, but the right of personal freedom of action.'

Judge Fee quotes with approval the following famous language from the Milligan case:

"The proposition is this: that in time of war the commander of an armed force (if in his opin-ion the exigencies of the country demand it, and of which he is to judge), has the power, within the lines of his military district, to suspend all civil rights and their remedies, and subject citizens as well as soldiers to the rule of his will; and in the exercise of his lawful authority cannot be restrained, except by his superior officer or the Pres-ident of the United States. "You are expected to e to thank her

"If this position is sound to the extent claimed, then when war exists, foreign or domestic, and the country is subdivided mere convenience, the com-mander of one of them can, if he chooses, within his limits, on the plea of necessity, with the approval of the Executive, substitute military froce for and to the exclusion of the laws, and punish all persons as he thinks right and proper, without fixed

or certain rules. "The statement of this proposition shows its importance; for, if true, republican govern-ment is a failure, and there is an end of liberty regulated by law. Martial law, established on such a basis, destroys every guarantee of the Constitution, and effectually renders the 'mil-itary independent of and superior to the civil power'-the attempt to do which by the King of Great Britain was deemed by our fathers such an offense, that they assigned it to the world as or the causes which impelled them to declare their independence. Tule Lake Riot Civil liberty and this kind of martial law cannot endure together; the antagonism is irreconcilable; and, in the conflict, registration for job clearance one or the other must perish." and military service, the beatings Judge Fee rejected the Govern- of two evacuees and the arrest ment's plea that the Pacific Coast of 25 others at the Tule Lake was subject to "partial martial Relocation Project in Newell, law"; he dubbed this "a pernicious Calif., were reported by Director doctrine". He said: "The perversions of martial rule used by governors of the states in industrial and social conflict to satisfy a personal need for uncontrolled power in given situations, wherein the civil rights of individuals were swept away by legislation or fiat dictated by an individual, indicate that in these trying days of war, limits must be set to military authority exercised in the name of necessity, lest we lose the liberties for which we fight."

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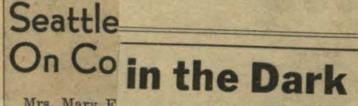
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forth his attit American citi "The Rev.

he symbolism you have interest in the this evening into your a don Hira -0 living. You are to live cle many of us c with the Christian Ideal name, he sm ways before you. If you let's just ca you will always respect because it see, rights of every human b happening to and will feel a responsit for the welfare for all nected the p people in the world regar of one mino of race or creed." problems fag The lights come on and e American N of race or creed."

ne shakes hands with the there are cap embers. The singing from the ther side of the wall is now pmpletely lost in the noisy prearations for the social hour hich is to follow. It was ever hus. The old fades before the ew as young America comes nto his own.

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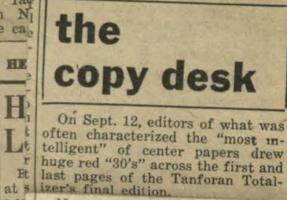
Mrs. Mary FNY MURASE cently spoke to CP on the subut Recreational Needs

The followinm meeting was gs-Citizen by Mr<sub>)f</sub>

much do you suppose you'll have left at the end of the month? I know a lot of families already completely out of funds and they'll have to depend upon relief from other sources, maybe from people right here.'

"Where then do you suppose we're going to get help?" I asked, now shaken up by Little Esteban's words. "Well, you can try a lot of different sources but you can't expect too much help because these sources are always helping people in need-we'll have to ask youth, church, student, service and other . humanitarian groups and individuals for all kinds of recreational material—discarded books, toys, games, and particularly athletic equipment." "But how are you go-ing to approach these people?" I asked. "If you'll point out to them the dangane there are in allowing the dangers there are in allowing young people to shift for themselves without some sort of supervision and without wholesome rec-reational activity, then they'll realize that problems of juvenile delinquency, unhealthy morals and misdemeanors will develop. You know that there's definite signs of these problems in this community showing up already." So spoke Little Esteban-thoughtful, pensive Little Esteban.

I gave him a grave and sober nod and began to think and think hard and when I thought I had something to say, I looked up and found Little Esteban had disappeaed into the sage bushes.



Never spectacular, the Totalizer 2,60 was a mature, well-edited weekly giv hat gave way only to an occasion-OI al pun (Kitchen: Of Mess and Men. tor or Life with Fodder.) the Editor Taro Katavama headed 29.1 the staff, with Bob Tsuda, Jim Yamada and Charles Kikuchi as da, associate editors. dis The final issue was 28 pages in the length. Best feature: Tanforan err Calendar. tw

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Of the Milligan case Judge Fee said:

"The rationale of both the main and concurring opinions is that the civil power in this country is supreme. Neither diectly nor indirectly can the miliary power become dominent. he Constitution, laws and treats of the United States control. or is the situation changed by e incidence cf war."

o the Government's contention, "that in time of war the constitutional guarantees must be reinter-Freted, Judge Fee countered:

"If this be a plea for the exercise of arbitrary power, it is not conceived that it has the support of the military authorities, and, certainly, has not the support of the decided cases. The argument proceeds upon the basis that the disposition of the Supreme Court now is to overlook the constitutional limitations when confronted with an emergency."

The decision acknowledged the

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precisely the point of view of the American Civil Liberties Union.

Further considering partial martial law, Judge Fee commented:

"The doctrine that there can be a partial martial law, unproclaimed and unregulated except by the rule of the military commander, expressed in orders or regulations proclaimed by him and enforced in the civil courts in a territory within th econ-tinental limits of the United States and at the time not occupied by any foreign foe, belongs in the category of such perversions, and cannot be justified by any sound theory of civil, constitutional or military law. Its only justification lies in the doctrines of "state of siege" proclaimed by military commanders, generally speaking, in the governments of Europe. For a state of the United States or any portion thereof to be placed, in any essential function, or for citizens of the United States to be placed

In the second uprising over and military service, the beatings Harvey M. Coverly, according to

a recent Associated Press dispatch.

Thirteen of the agitators who opposed the registration, including those responsible for the beating of two loyal evacuees who were out-spoken in favor of registration, were arrested and jailed at Alturas, Calif. One of the beaten men had to be hospitalized.

Twelve others, accused of intimidating other evacuees against The above observations state registration, were arrested and placed in the county jail at Klamath Falls, Oregon.



with regard to their fundamental rights subject to the will of the commander alone, however well designed for their protection, without any of the preliminaries above suggested, up to the time when utter necessity requires the abolition of all civil rule for the preservation of the

#### (Continued from page 5)

government, would seem to be a complete surrender of the guarantees of individual liberties confirmed in the Constitution of the United States."

Turning to the discrimination of the military order against persons because of race or ancestry, Judge Fee commented: "Congress itself could not

make constitutionally a distinction relating to the conduct of citizens based on their color or race . . . Congress itself could not in loyal territory uninvaded make acts of citizens criminal simply because such acts were in violation of orders to be issued in the future by a military commander."

Judge Fee protested that a test based upon color or race is unconstitutional. He said:

An equally valid foundation can be found for control of persons of Italian, German and Irish ancestry. A real basis in necessity might be found in the imposition of such regulations

an We have no illusions about what we've done-and left undone. Putting out a weekly mimtu eographed paper in an assembly en center is, ofter all, likely to be little more than a matter of muscular exertion than of inspiration. It's been a tough haul getexertion than of inspiration. ting the final issue out not too far off its intended date, and wer'e mighty glad to be done with it. All we can sincerely say at the moment is that we hope it isn't too bad.—Final issue of Tanforan Totalizer, Sept. 12.

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A good deal of center newsprint passed through mimeographs on Sept. 12. On that day, when the Totalizer ran a 28-page farewell edition, the Gila News Courier appeared for the first time with a 14page first edition.

Edited by Ken Tashiro of Los Angeles, the paper is staffed mainly by the original Tulare News staff.

Two center paper mascots got together for the first time as the Pacemaker's Lil Neebo and El Joaquin's Pancho stood in line for tickets to Arkansas (El Joaquin,

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t. 19). Out of the hands of his ter, artist Chris Ishii, Lil Neeooked a bit disgruntled, but cho was his usual, toothy self. con was by El Joaquin's G. noto.

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Vew column: Gila Tom Tom, Editor Ken Tashiro of the a News-Courier,

om Tulare center, Alice Uchia is now at Gila River starting w group of full-page drawings ing various phases of the cengrowth. The series on Tulare r was extremely well-done, one of the best features of )aper.

t "ethn was : nisty p een the /hereup ded: " tho disp Webb an Indi

'equirmy o report selective o be ad ment, th rrespond ng a co ant Secr nd Senat rman of affairs las been in ee relocat

upon the eastern frontier after the landing of persons of German ancestry who were harbored in this country. But the history of this country contains too many examples of loyalty of persons of foreign extraction to justify any blanket treatment, the precedent, if valid, can be made to justify exile or detention of any citizen whom a military commander desires in a loyal state not under threat." On this point he observed:

"If Congress attempted to classify citizens of Japanese ancestry based upon color or race and to apply criminal penalties for a violation of regulations founded upon that distinction, the action is insofar void."

Accordingly, Judge Fee concluded that the curfew and excluion orders of General DeWitt, as respects American citizens were void.

Judge Fee's courageous decision entitles him to a place of honor among the Federal judges who have dared to speak for constitutional rights during the hysteria of war; Judge Fee has the right to a niche next to Federal Judges George W. Anderson of Boston, Judge John F. Amidon of North Dakota, and Justices Oliver Wendell Holmes and Louis D. Brandeis.

# IPR Research Associate Surveys History of Nisei Problems; Discusses Outlook for Future

### By BRUNO LASKER Research Associate, Institute of **Pacific Relations**

The immediate problems of the Americans, difficult Japanese though they are, should not be allowed to occupy too much of our thought. They are, after all, related to more fundamental problems which existed long before the between the United relations States and Japan became critical, and which will continue after the conclusion of the present war.

Americans of Japanese extraction suffer from the double handicap of being members of the recognizable Oriental minority and of being identified with a nation which to most Americans is an embodiment of principles in international conduct which they regard as immoral.

I should like to say a few words about both of these handicaps. In the long run, the antagonism to Oriental residents in this country, except where it is reinforced by strong political or economic interests, may be expected to die a natural death. What antagonism remains there today against American Indians? Yet, little more than a century ago that was the racial group most feared and also most despised by the majority of Americans. American Indians today can hardly even be conceived of as a menace. They are accepted with such of their cultural differences as they desire to keep alive; and, indeed, they have come to be regarded as important contributors to the

tal parentage distributed themselves more freely over continental United States.

### Artificial Segregation

Why have not our Oriental residents or their children become diffused, a few here and a few there, in accordance with vocational opportunity? The answer is that they have been artificially prevented from doing so. The Chinese and Japanese, to my mind, have been herded in more or less solid communities by their own social leaders-in different ways and for different reasons.

Japanese residents in the United States have been kept in line by the representatives of their own government. These officials did everything they could to discourage individuals from going off by themselves, persuaded thousands of Japanese immigrants to give up their more isolated farms and orchards and to move into communities where they could be kept under the control of Japanese organizations. Their American-born children, to be sure, could have moved off to mingle with other Americans. Some of them did, and those who spread out over the country and made their living among us in business or in the professions, here and there also as skilled artisans, only had to contend with their neighbors' social and racial prejudices in their milder forms. In another generation, they would have been as much a part of the social landscape as are Armenians or French Canadians, and as much taken for granted. But, of course, it was precisely ernment to prevent this from happening. Americans of Japanese anearlier had our citizens of Orien- nese flag, who did not contribute

either to the political strength of the homeland or to its trade or to its reputation, were of no use to the Tokyo government and its foreign consular representatives. So every young American of Japanese parentage was from early childhood conditioned to fear white America and to seek his safety and his satisfactions in the closest association with the outposts of the Japanese empire.

(Editor's note: The editor believes that Mr. Lasker here has ascribed to the influence of the Japanese consulates much more than its due. The impression is created that the issei communities, and the nisei within them, were directly and rigidly controlled by the Japanese consulates; and this was certainly never the case.)

Perhaps I ought to add that in this matter the Japanese government did not, through the years, behave very different from some other governments which had the same kind of purpose and used, as best they could, the same techniques. But the Japanese officials were so much more successful in keeping their nationals apart from the main current of American life because American vocational and social discriminations came to their assistance) whenever some of the younger members of the fold showed a tendency to go astray. **Responsibilities** Ahead

So much for the past. What about the future? Once we have arrived at some understanding of how the situation has arisen which we now face, we should not linger in contemplation of the past, but turn to the future. Here we are, Americans of many different antecedents, determined to break through the chains which our own prejudices would have been dissipated much pride at the sight of the Japa- and those of our neighbors have (Continued on Page 8).

American arts of living.

More slowly, because the potential danger of a large Oriental accession to our population is still so recent, attitudes toward Orien- the object of the Japanese govtals are changing. They are, as a matter of fact, of rather artificial origin to begin with, and cestry who did not swell with

# Research Associate Surveys **History of Nisei Problems**

#### (Continued from Page 5).

forged to keep us apart, so that together we may build for the future. It is well that we should at times think of our grandfathers. But it is more important that we should think of our grandsons, for it is they for whom we have to plan and work.

Those of us who are immigrants or the children of immigrants, loyal as we are not only to American law, but also to the traditional American spirit as we understand it, nevertheless must be allowed to regard ourselves as charged with very special responsibilities for the future of our country. We see this country not as the final embodiment of great ideals brought here in the eighteenth century by a few western Europeans, but as a living organism which still feeds on the fresh inspiration that comes with new accomplishments throughout the world. Through our own special position as carriers of more than one cultural heritage, we help to keep America spiritually strong, we add to its resources, we keep it abreast of the time,

But we cannot contribute to the strength and richness of

That example does not tice. stand alone; but those who find excuses for discriminatory laws against some racial minority too often overlook how far-reaching even a small difference in the treatment of one group or the other under our law may become in its effect. That must never happen again.

It will not happen again if as individuals and through our organizations we fight any attempt, no matter where it appears and however innocent it may appear, to introduce distinctions between us on the ground of race. Those distinctions which now prevail in law must be removed at the earliest opportune moment. No appeasement of existing prejudices can be tolerated henceforth.

Must Join the Majority

While saying this, I am not forgetful that this is but one aspect of the task which I see ahead. A purely protesting, negative attack on the problem might be dangerous because of what it would do to our own thinking and feeling about America.

It is not good for any of us to go through life as conscious members of a militant minority unless in many things we feel ourselves to be also members of the great majority of those citizens who harmoniously work together for common ends. Therefore, the program for Americans of Japanese descent, as I see it, is not complete unless more and more of them associate themselves with movements for the advancement of the common good-movements that are entirely unrelated to their own immediate problems. Too few of the nisei students and professional men have been able in the past to identify themselves as individuals, rather than as Japanese, with organized movements for the improvement of labor conditions, for social reforms, for national and international unity in the pursuit of freedom, For American citizens of Japanese extraction these times offer not only special problems, but also special opportunities. You can give evidence of your Americanism best by not insisting overmuch on it, and by joining with others of your fellow countrymen in the building of a better world.

"Nisei is a ow is know. ist of the

vidual authorizat from the comman such area.

hich we have a notion will be ill and favorably known to all us before the war is over. nisei is an American-born lizen whose parents were Japese.

"There are a large number f nisei in the Far West. Most f them are as loyal to the nited States as any other oup of Americans. Until cently, however, they were st eligible for service in our med Forces in this war with pan and its Axis partners. About a month ago, Secretary War Stimson announced that i from then on would be acted for training in special s, including infantry, artil-, engineer and medical pernel, and would see actua ting service in due course er present arrangements, ni can get into these servic ugh draft boards in th munities.

It seems beyond dispute that this is the right handle the matter. We fident, too, that these become tough and vil ters for the count

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American life unless we are permitted to work together as absolute equals in a common Whatever there is in cause. the laws of the country or in the customs of any part of it which makes for segregation, for discrimination of any sort, for noncooperation, lessens our effectiveness as Americans, and we must get rid of it.

We see in the wartime treatment of Americans of Japanese descent a striking example of how easily a seemingly harmless recognition of racial differences may lead to crass injus-



Thursday, May 27, 1948

# Seattle NAACP Hears Report On Court Hearing; Gives Aid

state senator in Washington, recently spoke to the Seattle NAA-CP on the subject of the evacuaion test cases now before the United States Supreme Court.

The following account of the

meeting was given to the Pacific Citizen by Mrs. Ruth W. King-

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A man, executive secretary of the Pacific Coast Committee on In reply American Principles and Fair izenship of A Play, who was present at the Myer, nationa occasion:

"On the evening of May 5 the following assu Seattle NAACP was holding a son, project d meeting in a small Negro church.

"I have The speaker was Mrs. Mary Far. quarson, former state senator, who several center had been asked to talk to them citizenship rig about the case, now before the United States Supreme Court, involving the citi-

zenship rights of Gordon Hira-"You are bayashi, in whose defense she had cuees at your been active.

"Mrs. Farquarson made a very Authority rec complete presentation of the case, fend those cit going over the high points of the legal brief and also outlining Gordon Hirabayshi's background and education. She ended by reading them a letter in which he set WRA Cent forth his attitude in regard to his American citizenship. American citizenship.

"The Rev. F. W. Penick, presi- is trying to do for us." induction officer proceeds. dent of the Seattle NAACP, rose

Mrs. Mary Farguharson, former | rights of all racial minorities are threatened,' he said.

"Then he asked about the financing of the case. Did they have money enough to cover the cost of taking it before the Supreme Court? Taken by surprise, Mrs. Farguarson tried to evade the question. She had not come there to ask for help. She did not want to ask for money from a group of about 40 persons, apparently just average citizens of limited resources. But Mr. Penick was insistent. How much did they need? And reluctantly she admitted that they were a few hundred dollars short.

"Mr. Penick seemed sure of his audience as he remarked that he didn't see any reason why they couldn't raise \$250 right there. 'We have a custom that's different,' he explained. 'We don't like pleages and signing things for the future; so we have a way, as we say, we lay it on the wood.'

"His hand touched the top of the table that stood behind the simple altar. 'I'll be the first,' he told them, laying a \$5 bill 'on the wood.' 'It's for Gordon, remember, and for what Gordon

"A secretary-treasurer was ap-

"You are expected to e to thank her. Expressing their the symbolism you have interest in the case of 'This Gorthis evening into your addon Hira - " stumbling as so ways before you. If you rights of every human b happening to Gordon can happen you will always respect and will feel a responsib for the welfare for all people in the world regard of race or creed."

The lights come on and e American Negro. "As long as own race, was waging a kindred one shakes hands with the there are cases like Gordon's, the fight for all others."

members. The singing from the other side of the wall is now completely lost in the noisy preparations for the social hour which is to follow. It was ever thus. The old fades before the new as young America comes into his own.

# 25 Arrested in **Tule Lake Riot**

In the second uprising over registration for job clearance and military service, the beatings of two evacuees and the arrest of 25 others at the Tule Lake Relocation Project in Newell, Calif., were reported by Director Harvey M. Coverly, according to a recent Associated Press dispatch.

Thirteen of the agitators who opposed the registration, including those responsible for the beating of two loyal evacuees who were out-spoken in favor of registration, were arrested and jailed at Alturas, Calif. One of the beaten men had to be hospitalized. Twelve others, accused of intimidating other evacuees against registration, were arrested and placed in the county jail at Klamath Falls, Oregon.

living. You are to live cle many of us do over the Japanese with the Christian Ideal name, he smiled and said, 'Well, let's just call this boy Gordon, because it seems to me that what's to any of us.'

"Simply and directly, he connected the problem of the rights to \$204.25-given in understandof one minority group with the ing and sympathy for the boy problems facing another — the who, in fighting a fight for his

> Hawaiian Nisei Leave for Camp

HEART MOUNTAIN SENTINEL

En route to a training camp at Shelby, Miss., are Hawaii's 2,600 nisei volunteers, who were given a rousing send-off by one of the largest crowds in the history of Honolulu on the eve of their departure Monday, March 29.

Accustomed to wearing sandals, the volunteers marched in discomfort in army shoes from the railway station to the Governor's mansion and stood for two hours listening to the music and speeches.

The cosmopolitan affair featured an address by Major General Bryan H. Wells, retired former commanding general in the Hawaiian Territory. Also included in the program were speeches by Ernest Kai, Hawaiian Chinese, secretary to Territorial Governor Ingram Stainback; Robert Morton, special representative of Interior Secretary Ickes, and other civil and official representatives. The crowd viewers estimated at 20,000 jammed the grounds of the military Governor's mansion, formerly the royal place.

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pointed, and she took down the names of the people as they quietly came forward, one after another, in a simple, sober way, crediting each with the amount, none large, which he or she 'laid on the wood' for Gordon.

"In ten minutes it was all over, and it lay there, a pile of it. which, when finally counted, came

> opinion "erroneously decided." That decision has been taken to apply to the Japanese born in this country.

The Native Sons raised funds from their membership to carry the case to a higher court after Cameron King, registrar of voters, was upheld in a previous hearing.

When Webb said that the country had been settled and the government organized bv whites, Judge William Denman asked him: "How about the Indians?"

Webb said that "ethnologically speaking" there was a theory that "in the misty past" the Mongolian had been the ancestor of the Indian, whereupon Judge Denman demanded: "Do you know anybody who disputes it?" "I contend," Webb replied, "that the American Indian is not an Asiatic."

The idea of requiring Japanese-Americans to report for induction under selective service seemed likely to be adopted by the War department, the Times Washington correspondent reported, following a conference between Assistant Secretary of War McCloy and Senator A. B. Chandler, chairman of the Senate military affairs sub-committee which has been investigating the evacuee relocation problem.