

THE NEW REPUBLIC

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The intelligence with which the War Relocation Authority has approached the problem of resettling the 120,000 Japanese-Americans of the West Coast is changing that disagreeable necessity into what may turn out to be a constructive and nationally useful project. To say that is not to overlook the tragedy of uprooting these people of Japanese ancestry, 63 percent of whom are American-born citizens, and a high proportion of them skilled workers, managers of farms and professional people. But because of their capacity for assuming responsibility, the WRA is asking them to organize self-government and if possible self-supporting communities. It will provide housing, food, medical care and schooling for all. Beyond that the Japanese-Americans are free, within the framework of the regulations as to place of residence, to make of their communities what they will. Those who pledge loyalty to the United States will be enrolled in a Work Corps, paid for their work and given a financial stake in the development of the community.

The utilization of their agricultural and manufacturing skill can be of great value to the country. A demonstration by these people, under the toughest possible conditions, of the validity of democratic principles, would be an even finer contribution to the national welfare. Both the WRA and the Nisei will deserve thanks if the project succeeds on these terms.

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The exact opposite of this intelligent handling of a difficult problem is to be found in bill S. 2293, now pending on the Senate calendar, with the favorable recommendation of the Senate Committee on Immigration. This bill would direct the Secretary of War to put 100,000 American citizens into concentration camps for the duration, without trial and without regard to their loyalty, solely because of their national origin. It might well be called the American Nuremberg law so closely does it follow the Nazi race pattern. It is aimed at Japanese-Americans and its author admittedly hopes by means of it to upset the Supreme Court decision rendered nearly fifty years ago in what is known as the Wong Kim Ark case, which held that Japanese born in the United States are citizens even though their parents cannot be naturalized.

The bill is based on the erroneous theory that all Japanese born in the United States are considered under the laws of Japan to be citizens of and to owe allegiance to Japan. The committee failed to take into account the law adopted by Japan in 1924 which releases from claim any child born subsequent to that date and not registered at a Japanese Consulate within fourteen days after birth. But aside from this, the United States has never recognized the principle of dual citizenship, and this would be an inopportune time

to enact legislation conceding that contention.

Grave constitutional questions are raised by the bill. If it is constitutional to intern American citizens whose parents may have come from nations with which we are at war today. We should certainly have to consider at once doing the same thing to American citizens of German and Italian descent. As a practical matter, there is no necessity for the bill, as the entire Japanese-American population residing on the West Coast has already been interned under the authority of the President's order and Hawaii, where a large Japanese-American population resides, is under martial law. There are only a comparatively few American-born Japanese living outside these areas.

We hope S. 2293, introduced by Senator Stewart of Tennessee, will be defeated. Strongly backed by the American Legion and the Coalition of Patriotic Societies, and with the unanimous endorsement of the Senate Immigration Committee, it might have passed already had it not been for the objections of Senator Ball of Minnesota on the floor of the Senate.