

AN APPEAL FOR ACTION TO OBTAIN REDRESS FOR THE
WORLD WAR II EVACUATION AND IMPRISONMENT OF JAPANESE AMERICANS

Among the documents which form the philosophical and legal foundations of our nation, such as The Declaration of Independence and The Constitution of the United States of America, no idea is more basic in the origin and development of American history, traditions and statutes than the principle of equality of all persons before the law. Even the most cursory study of our nation's history leads to the inescapable conclusion that in the opinion of the Founding Fathers, such as Franklin, Adams and Jefferson, true Americanism meant an unbending insistence by each individual that any government accord him equality of treatment before its laws and refrain from unjustly violating certain "unalienable rights" such as "life, liberty and the pursuit of happiness".

Over thirty years ago, a few months after the entry of the United States into World War II, the Government of the United States without a shred of evidence of misconduct or disloyalty and without even a pretence of a trial, perpetrated the wholesale uprooting and imprisonment of practically all Pacific Coast residents of Japanese ancestry. True, the Government did not engage in systematic murder of Japanese Americans, but it did callously dispossess us of practically all the rest of our rights, such as the right to a fair trial, liberty, our jobs, our businesses, and our homes. This monstrous violation of the most basic of American traditions and laws relating to human freedom was the culmination of four decades of anti-Japanese propaganda of the most vile, outrageous and pervasive sort, particularly in the newspapers printed in the Pacific Coast states.

This propaganda brain-washed the mass of white Americans into feeling that the Japanese were subhuman creatures deserving of no rights whatever and brain-washed the Japanese Americans into thinking that they had been born of an unworthy race and that they had to submit meekly to practically any governmental trampling of their human rights in order to "prove" to others that the Nisei were "loyal Americans". The fact that, even after a lapse of thirty years, no real attempt has been made by Japanese Americans to obtain redress for the wrongs, humiliations and loss of income suffered by them during their totally unwarranted imprisonment indicates that the older Nisei at least, have been so psychologically crippled by their pre-war and wartime experience that they have been unable to act as Americans should.

Passive submission or self-abasement when confronted by government tyranny or injustice was alien to the beliefs held by the founders of this nation. If, in the face of British government tyranny, they had acted like the Nisei have in the face of American government tyranny, there would be no 200th Anniversary of the founding of our country to celebrate. In commemorating the birth of our nation, therefore, it is time that Americans of Japanese ancestry repudiate the pseudo-American doctrine, promoted by white racists and apparently believed in by some former Nisei leaders, that there is one kind of Americanism for whites and another kind for non-whites. If Japanese Americans are as American as the J.A.C.L. has often claimed, then they should act like Americans and make every effort to seek redress through legislation and the courts for the rape of almost all their "unalienable rights" by the United States Government over thirty years ago.

Judging from the polls taken on the attitudes of the people living in the Pacific Northwest areas and the quantity of anti-Japanese hate mail and phone calls to local television stations immediately following programs dealing honestly with the evacuation and incarceration of Japanese Americans, over half of the white population of those areas believe to this day that the World War II treatment of the Japanese Americans was justified and that there was truth in the charges against us of espionage and sabotage.

By custom and tradition, any American who has been injured as a result of false accusations is expected to bring those responsible into court and obtain a judgment clearing his name and awarding him monetary damages from the offending parties. Failure by the slandered or libeled person to take legal action against his accusers is often regarded by the public as an indication that the charges are true.

When Japanese Americans obviously have done nothing against those who systematically vilified and libeled them during the first half of this century; have meekly submitted to mass imprisonment by the Government without receiving a formal statement of charges or a trial; and, thereafter have failed thus far even to ask for redress from the Government for that unjustified imprisonment, the white majority living on the Pacific Coast can hardly be blamed for looking upon the Japanese Americans as actually having been espionage agents and saboteurs at the start of World War II.

No amount of docile submission to white officials or "demonstrations of loyalty" to the United States by the Nisei can ever "disprove" the false accusations in the minds of most white Americans. That can only be done when the Government of the United States either through Congress or through its courts publicly declares that the wartime uprooting and imprisonment of Japanese Americans was totally without justification and awards the victims of its wartime outrage proper and reasonable redress.

Government recognition of and payment for wrongs done to their ancestors several generations ago have been secured by a number of Native American Indian tribes and Alaskan Natives in recent years. There can be little doubt that someday Americans of Japanese descent will press for and obtain reparations for the World War II uprooting and imprisonment of the Issei and Nisei. And while it is better to obtain redress of wrongs even generations late than not at all, for most Issei, justice delayed would in effect mean justice denied. In fact, many of the Issei who were most seriously hurt by the evacuation and imprisonment are already dead and gone and within five or ten years most of the remaining Issei will have passed away. Even some of the older Nisei are starting to die in slowly increasing numbers.

Except for approximately 10% of the Nisei who are convinced that they "have it made" or have been "accepted by the whites" and are opposed to any action which would "rock the boat", there is general agreement among Japanese Americans that action to obtain redress for the evacuation and related injustices is needed. Recent surveys show that a heavy majority want any payments made directly to each individual claimant. The surveys also reveal almost total agreement that the Issei should be given first priority in receiving such payments.

If redress and justice are to be gotten for the Issei and Nisei, strong and determined efforts must immediately be initiated and pushed to a successful conclusion. Most Americans believe in justice and it is unlikely that their elected officials in the United States Government would now deny a just settlement if the true facts of our unjustified maltreatment at the hands of the Government during World War II were properly presented.

In seeking redress, the nature of injuries and losses for which we hope to obtain monetary compensation must first be understood. Through the provisions of the Evacuation Claims Bill which was signed into law in 1948, former evacuees received (after legal and processing fees) a total net payment of \$34,200,000 as "compensation" for their property losses which were estimated by the Federal Reserve Bank of San Francisco at \$400,000,000 in 1942. Under the terms of those payments, we now are precluded from asking for a more just settlement for losses of property. Our present efforts, therefore, are directed toward obtaining redress for other injuries and losses.

For the mental and emotional suffering at the time of the evacuation and the psychological injuries sustained from the exile from their homes no fair compensation in dollars can be computed. Almost equally impossible would be any attempt to place a dollar value on the educational losses inflicted on the Japanese Americans of school age by the sudden termination of their normal schooling and by the Government's suppression of the teaching of the Japanese language and certain branches of Japanese culture. On the basis of recent court awards to persons subjected to unjustified imprisonment of even a few days, a payment of at least \$5,000 to each person forced to leave his domicile as a result of the Evacuation Order in 1942 would appear to be appropriate. When the difficulties and costs to the evacuees in later settling in other areas of the country or in returning to their home areas on the Pacific Coast are also considered, the sum we suggest is far from excessive.

Furthermore, we believe that we are entitled to seek compensation from the Government for first, the prolonged loss of our personal liberty, second, for the loss of normal wage and salary incomes, and third, for the loss of business income for those who owned their businesses and farms. According to our estimates, based on 1942 dollars, the total wages and salaries lost by the Japanese Americans during their imprisonment was in excess of \$400,000,000. No amounts for the value of lost pension rights, job seniority, lost opportunities for promotion, etc. are included in that figure. The total loss to Japanese Americans of the net incomes of businesses and farms which they were forced to leave behind as a result of their imprisonment is estimated by us to have amounted to over \$600,000,000 in 1942 dollars. To cover these three classes of losses, we are suggesting a payment to each former inmate of those prison camps of \$10 a day for each day of confinement, in addition to the flat payment of \$5,000 already mentioned.

Two different methods for obtaining the money to pay these sums have been suggested. The first is the direct Congressional appropriations procedure with annual incremental appropriations over a period of years. An example of this method was the Evacuation Claims Bill. That Bill proved to be disappointing to Japanese Americans because of the inadequate provisions in the Bill, niggardly handling of the claims, and insufficient funds appropriated by Congress.

The other suggested method is the Bootstrap Concept (sometimes referred to as the Seattle Plan). This plan would require Congressional approval to set up an Internal Revenue Service Trust Fund which would receive Federal Income Taxes paid by persons of Japanese descent for a period of up to ten years or until all claims are satisfied. Almost simultaneously with the receipt of such taxes by the Fund, claims would be paid starting with the oldest Issei. The amount of money available each year would reflect the income taxes allocated voluntarily by those of Japanese descent. According to our estimates, over \$200,000,000 would be available for claims disbursements each year. This method of funding would have the very important advantage of not being subject to the annual uncertainties of Congressional appropriations. It would also spare us from appearing to be pleading for Congressional handouts. The plan would include a basic stipulation which would prohibit those not allocating their taxes to the Fund from making any claims against the Fund.

Despite resolutions repeatedly passed at successive national J.A.C.L. conventions in favor of seeking reparations, a surprising succession of national officers and staff members have displayed a glacial reluctance to start any kind of effective moves toward such a goal. About their only contributions to discussions of the subject have been to emphasize the difficulties which would attend any such efforts.

In order to start a successful drive to get reparations, it is first of all necessary for the various J.A.C.L. chapter members to make it clearly known to the national J.A.C.L. officers and staff that action to seek redress must now be given top priority among the league's activities. Second, Japanese Americans must strive for and obtain public declarations of support for our

goals from the greatest possible number of other organizations to which they belong such as churches, fraternal organizations, labor unions, civil rights groups, and political parties. And third, our position and the statements of those who support our efforts should unmistakably and repeatedly be brought to the attention of our Congressmen, Senators, and Officials of the Executive Branch of the Government.

The members of the Seattle Chapter of the J.A.C.L. earnestly ask for the help and cooperation of your organization in these efforts, not only to obtain justice in the form of reparation payments to the innocent victims of the World War II evacuation and imprisonment, but also to have the Government of the United States thereby demonstrate to the whole world that it still has the greatness of spirit to acknowledge and provide redress for its past miscarriages of justice. Such Government action would prove conclusively that the concept of the equality of all persons before the law, as conceived by the Founding Fathers, continues to remain a fundamental principle of our nation. And, that The Constitution of the United States of America even 200 years after its birth cannot be permanently set aside and ignored by government officials no matter what rank or post they may occupy.

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