

TESTIMONY OF ARTHUR G. BARNETT
BEFORE THE
COMMISSION ON WARTIME RELOCATION
AND INTERNMENT OF CIVILIANS **

SEATTLE, WASHINGTON

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My name is Arthur G. Barnett. I am a practicing attorney in Seattle, Washington, and have been for close to fifty years.

On March 2, 1942, when the first proclamation pertaining to citizens, and others, of Japanese ancestry was given I was a young Quaker lawyer in Seattle, active with the Council of Churches and with our Friends Meeting, both of which responded quickly and with concern and compassion to the plight of our members, friends, and neighbors affected by this unprecedented development.

My testimony to this commission follows three lines:

1. my activities on behalf of the evacuees as Chairman of the Japanese-American Emergency Committee of the Seattle Council of Churches (whose files on this matter, including my own, are ⁱⁿ the University of Washington Archives), and with the University Friends Meeting and the American Friends Service Committee;
2. my role as the friend and first legal contact for Gordon Hirabayashi whose resistance to the exclusion order became a Supreme Court case; and
3. as a concerned American citizen whose academic and practical training and experience in the fields of political science and jurisprudence have, through all these intervening years, made my mind churn restlessly over the questions of how this happened, why it happened, and what its deepest significance is for our system of government and our social ideals as a nation.

The individuals and groups who responded with concern to the proclamations relative to the persons of Japanese ancestry were torn between their dismay at what was happening and their desire to stop or change the course of this development, and

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their desire to be of help to those affected. Trying to hold back the rising tide of hate, on the one hand, and extending what service that was possible, on the other, kept the responsive groups meeting almost daily. In some instances meeting places were denied, but the Y.M.C.A. and the Y.W.C.A, and some of the churches worked closely with the leadership of the Council of Churches and the Quaker groups. Father Gill of the Catholic Archdiocese and Father Tibeazar of the Maryknoll Mission were tireless in their efforts to help and they met frequently with us. A young Quaker came from the East Coast to work with our local groups in rendering service to the evacuees. He lived in our home and we heard daily of his efforts to assist in the storing or selling of household goods, marketing produce, arranging for the transfer or closing of businesses -- anything to help in the tragic disruption of the personal and economic plights of these neighbors. One night he came home with his car loaded with flats of seedling white phlox, pressed upon him by the greenhouseman in the hope homes could be found for these tender plants so they would not die.

In 1944 when I was serving on the Seattle Civic Unity Committee I was part of a group who met with representatives of the United States Army in a program to prepare communities for the return of selected evacuees before the close of the War. It was interesting to observe the still strong feelings against the Japanese-Americans by some groups, largely on racist and economic grounds. Our family was one of a few in the Seattle area to receive members of an advance return group. We were in the position of sheltering a young native-born-Seattleite from her own

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fears and the possible insults and stares of her own community.

Gordon Hirabayashi has appeared before you, and his case before the United States Supreme Court is a matter of record. I accompanied Gordon Hirabayashi when he surrendered to the local F. B. I. the day after the exclusion had taken place. He was indicted for failing to report to the railway depot and for not obeying the curfew. And thereafter began our efforts to raise money for his defense, as well as to lay the foundations for his case. Being only 35 years old I felt Gordon needed a more mature attorney, and we were fortunate to enlist Frank Walters. At first the American Civil Liberties Union would not respond, but later it did so both with funds and legal counsel. I assisted in the preparation of the case and appeared with the senior lawyers at the Court hearings. The decision was unanimously for the Government. Not one Justice dissented. One young American citizen stood on his Constitutional rights -- and all nine Justices united in justifying the denial of those rights!

How could this happen? What were the forces in America that moved into the branches of government -- into the executive, into the legislative, and into the judicial? What were and are the implications of such a breakdown of "checks and balances"? Why did Congress allow the President to lay on it the responsibility through Public Law 503? What were the irresistible pressures on the President to persuade him to approve the exclusion of citizens in the face of contrary evidence and advice from security agencies? Is there a strata in our society of racist and economic prejudice that is exploitive and exclusionary, that expressed itself in

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slavery, in the acts and programs against Asians, Blacks, or Chicanos? Has this pattern in America, despite our protestations of equality and justice for all, become a real expression of the "American Way"? These are some of the disturbing questions in my mind. Perhaps these hearings will make others worry about these questions. An important result of these hearings could be the dedication of concerned scholars to digging out the facts, for I believe firmly there are many aspects of this blot on our history that are deeply buried -- perhaps in the legislative records, perhaps in Presidential papers, perhaps, even, in the newspaper accounts of those years. It may be, also, that a valuable part of "indemnity" could be funds to encourage such research. I believe to answer these questions would not be a perfunctory academic exercise -- I believe it could help to redeem the soul of America.

In my opinion, then, there are two main concerns, which I no doubt share with many Americans, those who were inside the barbed wire and those who were outside; and that is that the suffering and burning injustice of the exclusion be recognized and fully responded to, and that there be a continuing examination of the wounds and scars on our total society from this act. Legal damages are due for harm wilfully done to citizens of Japanese ancestry and their persons and for their economic losses. It is my understanding that Germany has remitted payments to Jewish persons who suffered persecution at the hands of Hitler. We cannot do less.

Arthur J. Brown