

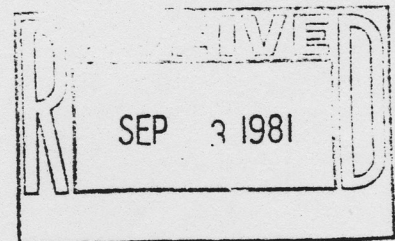
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JAPANESE AMERICANS: INJURY AND REDRESS

by

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## JAPANESE AMERICANS: INJURY AND REDRESS

. . . the Japanese American episode of World War II looms as a great and evil blotch upon our national history. The whole vast, harsh, and discriminatory program of uprooting and imprisonment . . . is without parallel in our past and full of ominous forebodings for our future.

Jacobus ten Broek, Edward Barnhart, and Floyd Matson  
"Prejudice, War, and the Constitution," 1968

Being an obvious racial discrimination, the [exclusion order] deprives all those within its scope of the equal protection of the laws as guaranteed by the Fifth Amendment . . . [It] is one of the most sweeping and complete deprivations of constitutional rights in the history of this nation.

Supreme Court Justice Frank Murphy on the  
Korematsu Case, 1945

### I. HISTORY REVISITED

The destruction of the Pacific Fleet at Pearl Harbor on December 7, 1941, and the entrance of the United States into World War II were to have tremendous impact on all Americans. But to one racial minority group, those people of Japanese ancestry (Nikkei), it was to have consequences that were catastrophic. This essay chronicles this disastrous series of events from the viewpoint of history, personal recollections, and the establishment of the case for redress for the wrongs inflicted.

The attack on Pearl Harbor as the "Day of Infamy" has long been dinned into the consciousness of the American people. Forgotten or unknown is the horrendous treatment of Japanese Americans and their parents in the turmoil that followed. On the West Coast, fear and hysteria were on the rise as Japan won victory after victory in the Pacific; rumors were rampant of an imminent Japanese invasion of the West Coast. Fueled by false stories of espionage and sabotage in Hawaii, racism, always just beneath the surface, reared its ugly head: "Japs" came to mean the enemy in Japan, our alien parents, and Japanese American citizens. Economic greed, political self interests and misguided patriotism combined with fear and racism and, set aflame by the media, brought into being the series of infamous acts that were to uproot and sweep into concentration camps people whose only "crime" was being of Japanese ancestry.

Racism against the Japanese did not arise de novo on December 7, 1941. Bombs exploding on Pearl Harbor only stripped away the facade to expose the underlying hidden seam of racial feelings. Racial discrimination had existed since the turn of the century when the first Japanese immigrants, our parents, first came to American shores as temporary sojourners in their quest for fortune. The Japanese were quickly given the mantle of the evil and wily "Oriental" stereotype previously bestowed upon the Chinese who had arrived in 1850 to mine the "mountain of gold". They had been systematically oppressed, assaulted, robbed, murdered and driven back to China or into city ghettos. With the official exclusion of Chinese immigration in 1882 and the need for cheap agricultural labor, the United States turned to Japan to recruit laborers. The rapid influx to Hawaii and the West Coast from 1890 on awakened anti-Japanese agitation just as it had with the Chinese. Agitation and assaults arose because labor and farming perceived a threat to their ranks. Here is a lurid comparison of the two "Orientals" as depicted in an editorial in a San Francisco journal, "Organized Labor," in 1900:

Chinatown with its reeking filth and dirt, its gambling dens and obscene slave pens, its coolie labor and blood-thirsty tongs, is a menace to the community, but the snivelling Japanese, who swarms along the streets and cringingly offers his paltry services for a suit of clothes and a front seat in our public schools is a far greater danger to the laboring portion of society than all the opium soaked pigtailed who have ever blotted the fair name of this beautiful city.

And here is another quote from a more official source -- the U. S. Industrial Commission Report of 1900:

They (the Japanese) are more servile than the Chinese but less obedient and far less desirable. They have most of the vices of the Chinese, with none of their virtues. They underbid the Chinese in everything and are, as a class, tricky, unreliable, and dishonest.

In 1905, the "San Francisco Chronicle" began a series of anti-Japanese articles with such headlines as:

The Japanese Invasion, the Problem of the Hour.  
Japanese a Menace to American Women.  
Brown Men and Evil in the Public Schools.  
Crime and Poverty Go Hand in Hand with Asiatic Labor.

An impetus to the notion of "invasion" and the "Yellow Peril" was the fact that in 1905, the Japanese Navy had flexed its military muscle

and defeated the Russian Imperial Fleet in the Battle of Tsushima Straits.

San Francisco continued to be the hotbed of anti-Japanese agitation and an international crisis was precipitated when the Board of Education passed an ordinance in 1906 calling for the herding of Japanese school children into a segregated "Mongolian" school. The parents, sensitive to this affront, appealed to the Japanese government which immediately protested the segregation to the U. S. government. President Theodore Roosevelt had to intervene to placate Japan and in the subsequent Gentlemen's Agreement he negotiated, the price for non-segregation was that Japan would no longer allow labor emigration. But, this was not the end. California passed alien land laws in 1913 and 1921 forbidding the ownership of land by the Japanese. The crowning blow was the passage of the 1924 Asiatic Exclusion Act, which forbade the immigration of any Japanese. At the Senate hearings on Asiatic immigration in 1924, California State Attorney General Webb had this to say:

The Supreme Court of the United States . . . divided the people of the world into two great groups: on the one side is placed the people of Caucasian descent, . . . on the other side, it placed all the others, all races of color other than white. It was deemed then, and has been deemed continuously since, that the ineligible groups were, for racial reasons, undesirable as citizens of the United States . . . It is utterly impossible, by legislation or otherwise, to compel the white race to accept the black race or the brown race or the yellow race . . . the differences are so great that neither time nor law can change or modify them . . . Finally, gentlemen, this domain belongs to the people of the United States, belongs to the white race, belongs now, and I trust forever, to those who are, or who may become citizens.

In the intervening years to World War II, Japanese Americans born into and growing up in Japantowns of the West Coast came to know the stinging blows of discrimination in social activities, employment, housing, and educational opportunities. It mattered not that you were an American in outlook, goals, and language, and entitled by birth to all that the Constitution and Bill of Rights provided. The pervasiveness of the racial stereotype of a generation ago persisted and we were cast into the mold of second class citizens, inferior to whites, and denied equality of opportunities.

In early 1942 there was an acceleration of events. Pressed by the avalanche of accumulating fears, racism, and greed, the Western Defense Command under General DeWitt asked Secretary of War Stimson for authority to remove from certain areas all possibly dangerous people. This was obviously aimed at the Japanese. DeWitt said:

In the war in which we are now engaged, racial affinities are not severed by migration. The Japanese race is an enemy race, and while many second and third generation Japanese are born on United States soil, possessed of United States citizenship, have become 'Americanized' the racial strains are undiluted. It therefore follows that along the vital Pacific Coast over 112,000 potential enemies of Japanese extraction are at large today.

And to the Tolan Committee he was even blunter:

A Jap's a Jap. They are a dangerous element, whether loyal or not. There is no way to determine their loyalty. It makes no difference whether he is an American: theoretically he is still a Japanese, and you can't change him. You can't change him by giving him a piece of paper.

The Justice Department caved in to the military, and President Franklin D. Roosevelt signed into law Executive Order 9066, which gave General DeWitt the authority he requested. The President did not consult his Cabinet and deliberated only over the weekend in coming to his decision. Congress just as cavalierly passed Public Law 503 which put teeth in the order.

The evacuation thus authorized was manifestly and grossly racist. The United States was at war with the Axis Alliance -- Germany, Italy, and Japan. On the West Coast, there resided more alien Germans and Italians than alien Japanese and more German Americans and Italian Americans than Japanese Americans. And yet those of German and Italian ancestry were practically untouched -- only the Japanese became the scapegoats. Italian American Mayor Rossi of San Francisco urged that "evacuation of Axis aliens, other than Japanese, should be avoided unless deemed imperative [because] extreme hardship, mental distress, and suffering would be put upon German and Italian aliens by evacuation." It mattered not to Mayor Rossi that Japanese aliens too could suffer "extreme hardship", mental distress, and suffering." Secretary of War Stimson's response to this plea from the Italian community was revealing:

I declare that you do not disturb, for the time being at least, Italian aliens and persons of Italian lineage except where they are, in your judgment, undesirable or constitute a definite danger. I consider such persons to be potentially less dangerous.

Thus, when the die had been cast by the promulgation of Executive Order 9066, we had to sell or dispose of our worldly possessions, businesses and belongings in a matter of weeks, taking only what we could carry in our hands.

Over 110,000 men, women and children of Japanese ancestry were thus forcibly uprooted. Colonel Karl Bendetson, architect of the military program, declared, "I am determined that if they have one drop of Japanese blood in them, they must go to camp." They were denied their constitutional rights, stripped of their possessions, stigmatized and degraded by the label of disloyalty, imprisoned, and made to suffer the hardships of prisoners. Of those incarcerated, over two thirds were American citizens. Expelled from society, the evacuees were thrust behind barbed wire, first to temporary detention centers hastily converted from fairgrounds, race tracks, and livestock exhibition halls and thence to ten more permanent concentration camps in desolate hinterland deserts and swamps. They all came complete with barbed wire (some electrified), with guard towers, machine guns and bayonets.

Many were to die in that harsh environment and social degradation, many by their own hands. Disease and poor health took their toll of the elderly, and the guards wounded and killed dozens. It was an aimless life which was to last until the end of 1945.

In January 1943, the Army came to the camps with a proposal to form a regimental combat team to go overseas and fight for this country. The ensuing furor and dissension produced volunteers from the camps and from Hawaii and resulted in the formation of the 442nd Combat Infantry Regiment which trained in Camp Shelby for a year and then fought in Italy and France with great distinction, becoming the most decorated unit in the war. The 442nd suffered 9,500 casualties, thrice the original complement, and sustained 600 killed in action. Many a Gold Star mother received the flag that draped her son's coffin while behind the barbed wire confines of a concentration camp. The men of the 442nd had proved at the high cost of blood, bones, muscle, and life that they fought for a principle and paid the price.

Had they fought, bled and died in a valiant cause tainted by hypocrisy? In the War Department proposal to form the 442nd, President Roosevelt had declared: "No loyal citizen of the United States should be denied the right to exercise the responsibility of his citizenship, regardless of ancestry . . . Americanism is of the mind and heart; Americanism is not, and never was, a matter of race or ancestry." And yet, this was the same president who, less than a year earlier, had signed the executive order that swept up the Japanese Americans and put them behind barbed wire solely on the basis of race.

And where was American justice when our constitutional rights were violently abrogated? The Supreme Court decisions tell the story: The three key decisions were the Hirabayashi, Endo, and Korematsu cases. The Supreme Court, by its own fiat, chose to view the entire Japanese American episode as divisible into three parts: the validity of curfew, evacuation, and detention. What was single, indivisible, and intertwined was broken down into three narrow rulings. The strategy of divide and conquer avoided the constitutional issues involved. In its rulings the Court, while not giving constitutional approval to the program, nevertheless had failed to disapprove it.

In *Hirabayashi v. U. S.*, the Court took up the issue of curfew violation (ignoring the conviction of refusal to be evacuated) and ruled 9-0 that curfew was dictated and validated by "military necessity," a term that was galling in the face of known military intelligence and the absence of martial law. That term would haunt the remaining court cases. In the *Endo* case, the Court ruled unanimously that detention was not authorized, but by legislative legerdemain again separated out the evacuation order in the ruling. In *Korematsu*, the court decided as narrowly only on the evacuation order and upheld his conviction of failure to report for evacuation. The previously-decided *Hirabayashi* case confounded the *Korematsu* case as the same rationale of military necessity came to be applied to the question of evacuation. The momentum and weight of the *Hirabayashi* opinion prevailed. It was a key decision which once again upheld the right of the military and gave sanction to the evacuation program.

Thus did the Roosevelt Court degrade the fundamental basis of individualism, the cornerstone of democracy. Not only did its rulings violate the principle that guilt is individual, but even worse, the Court sanctioned racism as a constitutional principle. It tolerated mass evacuation and incarceration for presumed disloyalty — unsupported by any such acts and without proof or probable cause — of an entire group on the basis of race. The Supreme Court had thus abdicated its constitutional responsibilities for dedication to justice, defense of the Constitution, limiting the powers of government, and the protection of the rights of man.

In 1948, Congress passed the Japanese American Evacuation Claims Act which allowed those evacuated to make claims against the government for "damage to and loss of real or personal property." After 17 years of bureaucratic and legal tangles, the final claim was paid in 1965. The total amount of claims paid was \$38 million for a financial loss conservatively estimated at \$400 million by the Federal Reserve Bank of San Francisco in 1942. The compensation was less than ten cents on the dollar — and this paid in the 50's and 60's dollars of lesser value. Not only had the U. S. government uprooted and imprisoned the Nikkei, but also it had piled injury upon injury by denying the Nikkei their just claims. The claims had not addressed the loss to the evacuees of the jobs, salaries, and incomes forfeited in the move, nor the economic loss of gains to be reaped in the booming war economy of World War II, nor the depletion of savings for survival in camps. The Japanese had sustained a crippling blow to their finances, and the loss of an economic base was decisive in retarding the postwar development and growth of the Japanese Americans.

## II. ECHOES OF MY MIND

The barbarous public chronicle of the Nikkei experience is but a skeleton which needs fleshing out with human experience. In my mind's eye, then, I travel back again to that fateful December 7th day in 1941 to tell a different kind of story -- a story that come from the depths of memories as I recollect them across the passage of years.

On that Sunday morning, a group of us had gone skiing at Paradise Valley on Mt. Rainier and heard the news on the noon radio after a great morning run. At the shocking, incredible news, we gathered up and headed home, each of us sober and quiet, wondering what it all meant. Why had Japan done this stupid thing, what would happen to our parents, what would happen to all of us? It was a time for reflection and anxiety about what lay in store for all of us.

The F.B.I. from the evening of December 7 had begun to pick up and take away Japanese leaders in the community. In a matter of weeks, they had arrested dozens of our Japanese nationals -- our Issei parents. Japanese language school teachers, business leaders, Buddhist priests, and organization heads were among those suspected to be disloyal and taken away.

I remember telling my father that since he was not a citizen (he couldn't become one even if he had wanted to), he might be taken away as the others, but for him not to worry about the family and the business (we ran a hotel in Japantown) because we -- his sons -- would keep the family and business together. I said that we were American citizens, that we couldn't be touched despite all the furor because we were protected by the Constitution and the Bill of Rights. I shall never forget what he said: "Wakaranai yo." (I wouldn't be too sure.) Subsequent events were to prove that he had more wisdom than I in gauging the dark side of human nature.

Things were becoming more critical: shortwave sections of our radios were removed, we turned in articles considered to be weapons, curfew was imposed (don't be abroad between 8 p.m. and 6 a.m.). But the real blow was the promulgation of the presidential exclusion order in February, 1942. Now were we thrust onto the track that eventually led to incarceration. There was the turmoil of selling our possessions, cars, furniture, business equipment, etc., in a few weeks. And the vultures descended on the hapless community to exploit the time deadline and to profit on human misery. There was the registration of families for orderly dispatching, the buying of clothes, materials, and baggage for life in camp, and the dolorous and degrading assignment of numbers to families. My wife and I were reduced to a number, Number 11704, as our identifying label. And with that label attached to our lapels, on that rainy morning in early May, 1942, we took ourselves and what we could carry to 7th and Lane Street to await the bus, and off we went to Puyallup -- our temporary detention center.



Puyallup, our home until September, was the fairground for the Western Washington Fair. We had come to Puyallup -- to these fairgrounds, to the wryly euphemistic "Camp Harmony" -- stripped of our possessions, robbed of our dignity, degraded by epithets, and stigmatized as disloyal.

Seven-thousand-four-hundred men, women and children lived in this place, some in the stalls and exhibition halls on the fairgrounds, others in rude shiplap barracks, enclosed by barbed wire, in parking lots.

We lived, my wife and I, in Area B--in the parking lot to the east--a compound of long, narrow barracks surrounding a central mess hall, toilet, shower, and laundry rooms, all enclosed by barbed wire six feet from the barrack walls.

In my mind's eye, I can still see the rows of freshly thrown-up barracks, of knotty shiplap and 2 x 4's, grass coming up from between the floorboards, a sliding six-paned window where, from our small room, we could look out at freedom beyond the barbed wire and the forbidden gap. And overlooking all, a classic guard tower with searchlights. There was a 10:00 p.m. curfew and I can tell you that it is a weird experience to get up in the middle of the night to go to the toilet and have that searchlight follow you there and back.

Each barrack was partitioned into units, but the partitions did not extend to the ceiling. Privacy was virtually impossible: sounds, conversations, and children's cries wafted down the entire length of the barrack.

Let me give you a short calendar of Camp Harmony events that I dug up from the "Minidoka Interlude" newspaper:

- |           |   |
|-----------|---|
| April 30  | First movement from Seattle begins in the rain.   |
| June 3    | Western Defense Command orders nightly check-up of residents (just as you do at a prison).        |
| July 4    | July 4 celebration held in each area -- Imagine! Celebrating Independence Day behind barbed wire. |
| July 13   | War bond drive starts.  |
| July 18   | Japanese prints banned; Bibles and hymnals approved.  |
| July 23   | Plasma drive begins.  |
| August 15 | First movement begins for the Gem State (Idaho)   |

It is a bizarre mixture of events of patriotism and events of oppression.

And thus it was for four months, a lifeless, mindless existence, from May to September, when time stood still.

Life in Camp Harmony was the beginning of camp life that continued on at Minidoka--Minidoka in the desert lands of Idaho, the land of the rattlesnake and the sagebrush. On to Minidoka in rickety railroad cars to be deposited in the still-building camp, into ankle-deep dust, which became an ankle-deep quagmire when the rains came. Fine gritty dust, blown by the Idaho winds, was the bane of our lives, getting in our hair, clothes, room, food, and our lungs.

Ten thousand of us came to live in Minidoka, much vaster than Puyallup, just a bit more permanent, but no less horrendous, as we, from the temperate climes, experienced the freezing winters and the blazing summer of Idaho.

What can I tell you of Minidoka? We were assigned to Block 16, Barracks 5, Unit F, at one end of a long tarpaper barrack. There it was--tiny, studs exposed, shiplap floor, dusty windows, two stacked canvas cots, a black potbellied stove sitting on a bed of sand, and a light bulb hanging from the ceiling. We didn't even have a place to sit down and cry, except the floor.

We stole lumber from the yard, and goods we bought out of the Montgomery Ward catalogues with our meager savings. Only then did 16-5-F become tolerably liveable.

If you worked, and there weren't jobs for everyone, it meant \$16 a month; if a professional, like a physician, it was \$19 a month. Food was inadequate (would you believe spaghetti and rice for dinner?), our health precarious, and family life deteriorated as parental authority became undermined and family heads lost their status and prestige.

Let me read again from the "Minidoka Interlude" calendar of events:

- |                             |   |
|-----------------------------|---|
| August 16                   | Main body from Puyallup sweeps into camp at rate of 500 a day.              |
| September 23                | Ptomaine poisoning hits Block 34--diarrhea sweeps camp.                     |
| October 6                   | Intestinal troubles hit residents--160 hospitalized.                        |
| October 7                   | Rye planted to hold down dust.  |
| October 26                  | 1885 evacuees cavort as seasonal farm laborers while 400 commute to fields. |
| [and here's a doleful note] |   |
| November 3                  | Hospital converts wing 15 into morgue and autopsy rooms.                    |
| November 11                 | Contraband articles confiscated at Puyallup returned.                       |
| November 15                 | 45-mile-per-hour gale snatches garage shed and carries it 50 feet.          |
| November 25                 | (Thanksgiving) 7000 pounds of turkey distributed to dining halls.           |

|                     |  |
|---------------------|--|
| December 19         | \$1,125 raised in Christmas Fund Drive.  |
| January 20,<br>1943 | Mercury hits 20 degrees below zero.  |
| January 29          | Army to admit Nisei as volunteers to Japanese American combat unit.                          |
| March 13            | 300 volunteers for combat feted at banquet.  |
| May 30              | Loyalty of Nisei questioned by Dies Committees (as a consequence of the loyalty questions).  |
| July 24             | Tule Lake picked as segregation center. (This is where the so-called "disloyals" were sent.) |
| September 20        | Tofu manufacturing makes debut at Block 22 plant.  |

Here the calendar in the "Minidoka Interlude" ends, although the center did not close until some time in late 1945.

Minidoka was like all the other nine concentration camps located in the hinterlands, a prison set down in the swamps or desert where others would not live. Here the evacuees were to waste their lives for the duration except for some students and workers, and those who went to war, some never to return.

We survived in Minidoka; I worked as a hospital pharmacist, went out to help harvest potatoes (my aching back) on the farm of a kindly Mennonite family and weeded sugar beet fields in the spring. The physical hardships we could endure, but to me, the most devastating was the unjust stigmatization by American society, the bitter reminder that racism had won again over the Constitution and the Bill of Rights, and the angry knowledge that the American people had thrown us into concentration camps simply because we had Japanese "blood." It was galling, infuriating, and frustrating -- scapegoats we were and imprisoned scapegoats, to boot.

Then, into this state of mind, came the announcement that the army would be recruiting from the camp to form a segregated regimental combat team. The news fell like a clap of thunder on incredulous ears. How could the government and the Army, after branding us as disloyal, stripping us of our possessions and dignity, expelling us into barbed wire concentration camps, how now, could they ask us to volunteer our lives in defense of a country that had so wrongfully treated us? The incredible announcement caused immediate turmoil and split the camp into two. One group reiterated the complete irrationality of the recruitment under these circumstances, and pointed out that once again the government was exploiting us and doing us in. The other group took the longer view and saw the threat posed to the future of Nikkei if recruitment failed. A society as irrational and racist as the one which put us into Minidoka could as certainly be expected to follow form by saying that the fact that there were no volunteers only proved their rightness in calling us disloyal and throwing us into camps.

I wrestled with the problem as both arguments tumbled around inside my head. It was a lonely and personal decision. I was older than the others, I was married, more mature and with more responsibilities. It was a soul searching decision for the possibility of death in the battlefield was real, and, in the Nikkei culture, almost expectable. I admit, too, despite all the trauma, that an inexplicable tinge of patriotism entered into the decision to volunteer.

The rest of the story is history: our induction, travel to Camp Shelby, Mississippi, our training with the larger volunteer contingent from Hawaii, then overseas and the combat record of the 422nd. I have never repented the decision to volunteer. In retrospect, the war record helped all Nikkei in their postwar struggle.

But there are many sad memories of friends who fell in battle, young, fresh faced, eager, beautiful lads with whom I had volunteered, men from camp or those from Hawaii and other places with whom I'd trained in the heat and cold of Mississippi. What price they paid for all of us. And if that is how loyalty is measured, then America got more than its money's worth in their sacrifice.

I'm reminded, too, that while training at Camp Shelby, I got word of my younger brother's death from tuberculosis. He had been left behind in a sanatorium in Seattle when we had to evacuate. His condition did not allow him to travel and to accompany the family into exile. It was a sad parting then, but we had fully expected him to rejoin us later when he got better. A massive lung hemorrhage had done him in. When the message came, I walked into the jackpine woods, thought about how I'd loved him and how he had died all alone in that miserable place without any of us at his side and I cried in that anguish and swore anew at those who had allowed this to come to pass.

Back from the war and reunited, finally, back in Seattle in 1946, we buckled down to salvaging what remained and to start, all over again; I, to go back to graduate studies and my folks to run a small hotel in downtown Seattle, my older brother now taking charge. My father was now a shadow of his former self, not the strong, authoritarian, dominating figure of old—he was not broken but he was surely bent. He was much less a man than before, no longer the head of the household. He came down with tuberculosis, went into the sanatorium, even as I did a year later. I saw him on the day before he died, both of us on parallel wheeled stretchers. How could I tell this dying man, my father, of what I now felt—language lay as a stone wall between us. How could I tell him of the respect and love and appreciation for all he had done for all of us. There could only be the unspoken message of the touch of hands and the meeting of eyes. When I returned to my sheet-lined cubicle on the ward, I covered my head with blankets to stifle the weeping as a silent ward heard and understood. The uprooting and incarceration his loss of status and prestige as head of household, the sweeping away of all the gains of the decades of hard work by a stroke of a pen just as surely killed him as tuberculosis.

Multiply my personal experiences by the tens of thousands of those who were thrown into concentration camps and you have the accumulation of all the dishonoring, griefs, anger, bitterness, deprivation, hardships, losses, inhumanities, injustices, death, stigmatization and much more. The awful sum of these human experiences that diminished each and every individual now cries out in the name of justice to right the wrongs inflicted upon all Nikkei.

III: REDRESS: JUSTICE AT LAST?

An honest reckoning must include a recognition of our national mistakes as well as our national achievements. Learning from our mistakes is not pleasant, but as a great philosopher once admonished, we must do so if we want to avoid repeating them.

President Gerald Ford, on the occasion of the rescission of Executive Order 9066, February 19, 1976.

The responsibility for this flagrant breach of the nation's constitutional and moral ideals . . . rests first and primarily with the people: The people of the nation in general . . .

Jacobus ten Broek, Edward Barnhart, Floyd Matson  
"Prejudice, War, and the Constitution," 1968

As time passes, it becomes more and more plain that our wartime treatment of the Japanese Americans on the West Coast was a tragic and dangerous mistake. That mistake is a threat to society and to all men . . . Until the wrong is acknowledged and made right, we shall have failed to meet the responsibility of a democratic society--the obligation of equal justice.

Eugene Rostow, Professor of Law, Yale University, 1945.

Now, 37 years later, the movement for redress for the Japanese Americans who were so unjustifiably traumatized in 1942 has begun in earnest. The Japanese American Citizens League (JACL), a national organization of over 30,000 membership in 107 chapters all over the country, has finally initiated the movement. The resolution to fight for a redress program has been approved in four successive biennial National conventions since 1972. Only now is there a serious effort to implement the resolution and it is currently a major effort of the organization. A Redress Committee is now engaged in drafting legislation for Congressional approval and a fundraising campaign is in preparation. There is disagreement on the legislative approach to redress: One path would call for the establishment of a presidential commission to hold hearings, gather testimony, establish evidence, and make recommendations on the question of redress. The second approach would not yield control of the contents of the eventual bill to such a commission; instead it would ask for direct individual payments to come out of a special IRS Nikkei trust fund, created from allocation by Japanese Americans into such a fund from the income taxes they pay. It is a "bootstrap" plan that requires no special Congressional appropriation; in essence, Nikkei would be paying for redress out of their own federal taxes. Whichever the route(s) that will be followed, the goal of the redress movement is the same.

To enhance the psychological milieu conducive to the redress movement, there has been a series of "Days of Remembrance" events initiated by the Seattle Chapter of JACL. These consist of pilgrimages to the places of incarceration such as Puyallup Fairgrounds, Portland Livestock Center, Tanforan Racetrack, Minidoka, and Tule Lake Relocation Centers. Proclamations of support of "Days of Remembrances" have been issued by western states, counties, and cities and as far east as New York City. "Days of Remembrance" have been huge successes attesting to the rightness of the issue and the rightness of the time. These grass roots happenings have raised to the consciousness of Americans and to self-realization by the Nikkei themselves, of the horrendous injustices that had been inflicted on them.

Why redress now, 37 years later, when most of the Issei are dead and the Nisei are aging? Why has it taken so long to awaken the slumbering Nikkei to the import of this crucial event? I've some notions about it and they are obviously my own perceptions.

When the cruel blow was struck in 1942 and we were herded into concentration camps, the enormity of the injustice filled us with anger and bitterness, but we shouldered it with the cultural sense of fatalism. At the same time, the stigmatization of being branded as disloyal and being imprisoned evoked a sense of shame, as if the wrongful branding and the unjust act were somehow valid because they carried the heavy sanction of American society. It's an upside-down perception, for we who were raped should not be the ones shamed; rather, to the rapist belongs the shame. And yet, for these many years have we wrapped this cloak of guilt around us as if that episode was of our own doing. Incredible as it may seem, how else can one account for the long closeting as of a dark secret, why

the reluctance to talk to their children about it, why is white America so ignorant of what happened?

Added to the self-imposed cloak of shame was the altogether human defense of submerging anger and bitterness; allowing it to surface and bubble would bring pain too strong to bear and would detract from the goal of survival and achieving in the post war years.

And, thus, have the scars lain, ever present but dormant. But why is now the time—what has happened to the Nisei to now unleash the redress movement? It is my contention that the aging Nisei are now at a particular stage of life when the struggle to survive and achieve is less demanding, when the outlook on life becomes more philosophical, when the socioeconomic hunger is not as acute, and there is time to reflect on one's life from a different perspective. That reflection on the enormity of governmental wrongdoing and the enduring incalculable damage it wrought has allowed the surfacing of emotions long buried. From the security of relative status, and in the human rights climate of the time, the voices of Nisei long silent are rising to call American society to task for those events of yesteryear, to acknowledge the injustices and to make restitution for the damage inflicted.

A significant factor, too, in the change of the Nisei is the changing social climate of American society. We have seen the radical shifts in the 60's and 70's — a shift away from the traditional Puritan work ethic which invoked self denial, the sacrificing of one's own needs for the needs of others; conformity, the need to fit in and be a part of a group; and hard work, valuing work as a virtue in its own right. In its place have come new value systems which emphasize self-fulfillment and self-realization, values which place the individual at the center of existence and exalt the expression of that individuality, even at the expense to others. To traditionalists, this new value system is perceived as one of selfishness rather than self-actualization, but in the new system, "number one" is me.

To the Nikkei, deeply immersed in the traditionalist view, the new social values are indeed revolutionary. But in their relative affluence and security, the long-practiced concepts of self denial, conformity, and work diligence may hold less appeal than the need for self-expression and individuality long submerged. Their Sansei children, the third generation, have challenged the old values, and it is their questioning and actions that have given impetus to the Nisei to think about their life attitudes and behavior in terms of "Whom am I?" and "What am I doing here?" The answers to those questions may well be a part of why comes redress now, 37 years later.

The movement for redress is another in a long series of post-war actions to right previous wrongs inflicted upon Japanese Americans. The first was the battle waged to have the government compensate the Japanese for the property losses sustained in the evacuation. The utter inadequacies of the payment finally eked out was mentioned previously. Later, tenure, canceled because of evacuation, was restored to the Nisei in federal civil service. Courts ruled eventually that the Alien Land Laws of the Western



States were unconstitutional. And Issei were finally allowed to engage in commercial fishing in California, which had been previously denied because Issei were "aliens ineligible to citizenship". Another landmark legislation was the passage of the Walter McCarran Act of 1952 which allowed the Issei, heretofore so barred, to become American citizens. In 1968, a new immigration bill was signed which did not discriminate on the basis of race.

In the late 60's, a drive to repeal Title II of the Internal Security Act was begun. Title II, spawned in the red-hunting McCarthy era, was an internal security measure which allowed for mass incarceration of "probable" conspirators in the event of war or "insurrection" and provided for six concentration camps for mass detention. After an arduous four-year grass roots campaign, Title II of the Emergency Detention Act was repealed in 1971.

In 1974, JACL initiated the drive to obtain a presidential pardon for Iva Toguri, wrongfully charged and wrongfully incarcerated for treason as Tokyo Rose. The story of her woes and monumental government wrongdoing have been told before. Suffice it to say that President Gerald Ford signed the pardon in July 1977, and restored citizenship to Iva Toguri. It still remains that the case for Iva Toguri cries aloud for restitution for injustices perpetrated, prison confinement, fines imposed, and psychological trauma endured.

There still remained the bitter memories of concentration camps and the executive order that placed us there. Japanese Americans worked for the rescission of infamous Executive Order 9066 of 1942 and were able to effect that revocation through President Gerald Ford on February 19, 1976, exactly 34 years after its original signing.

All of the above landmark events (and there are many others) have brought a greater bonding of Japanese Americans in common cause, a greater sense of power in moving governments and institutions and a greater understanding of the process to effect change. But most of all, the events have generated a growing crescendo of voices to articulate and act on the issues that have long plagued them.

The concept and the rationale for redress is based upon the violation of our constitutional rights and perpetration of wrongful acts resulting in unjustified injury and losses. The wrongful acts have already been documented; what constitutional rights were violated? It is a veritable litany of our Bill of Rights: the right to life, liberty and property; the right of freedom of movement and freedom from unreasonable search and seizure; the rights of due process of law, including the right to be informed of charges, the right to speedy and public trial, right to legal counsel, the right to habeus corpus; freedom of religion; the right to vote; the right to equal protection under the law; and freedom from cruel and unusual punishment. There can be no denial of the monstrosity of these violations of our civil rights.

The consequences of these violations are incalculable. You will recall the property losses (estimated at \$400 million) paid back by the Federal Government to those evacuated at less than ten cents on the dollar, and that a devalued dime to boot. With these pitiful payments we had to relinquish further claims of property loss, but there are other real losses which have not been taken into account. First, those thrown into concentration camps were working or had thriving businesses. The loss of those wages and income in the uprooting and incarceration have been estimated to be more than \$280 million, calculated in pre-1942 dollars. Furthermore, the business losses sustained by all enterprises—from the small mom and pop stores to gigantic California rice fields—have been estimated to be \$155 million, an underestimated figure considering the booming economy of World War II. Then, from out of their own pockets, out of their savings, the evacuees spent millions of dollars to buy clothing and material for camp life, to fix up the cells for more comfortable living, and to pay the costs of resettlement itself after discharge. No figure is available for this real loss,

How can one accurately calculate the near total loss of an economic base? The internees, after being discharged from camp, had to start all over again from a near poverty level. Decades of hard work and frugality had been wiped out. Listen to the cry of an Issei farmer in Santa Clara, California, right after the war was over:

Before the war I had 20 acres in Berryessa. Good land, two good houses, one big. 1942 in camp everybody say sell, sell, sell. Maybe lose all. Lawyer write, he say sell. I sell \$650 acre. Now same land \$1,500 acre. I lose, I cannot help. All gone. Now I live in hostel. Work like when first come to this country. Pick cherries, pick pears, pick apricots, pick tomatoes. Just like when first come. Pretty soon, maybe one year, maybe two years, find place. Pretty hard now. Now spend \$15,000 just for (half as much) land. No good material for house. No get farm machinery. No use look back, Go crazy think about all lost. Have to start all over again like when come from Japan, but faster this time.\*

And then there are injuries and losses for which no monetary figure can be assigned. How does one calculate the loss of personal freedom and civil rights? What is the toll on family disintegration and community dissolution? How calculate the personal loss of death and illness in the family? Young people had their education disrupted or terminated by concentration camps: a life career, completely altered--what is

\*Roger Daniels, Concentration Camps USA: Japanese Americans and World War II. New York: Holt, Rinehart and Winston, Inc., 1971.

the price there? What about cultural losses, the suppression of Japanese language and religion?

Finally, and perhaps the most damaging of all, how does one calculate the psychological trauma, the suffering and pain endured by the unspeakable degradation? To be unjustifiably stigmatized as disloyal, forcibly uprooted and incarcerated behind barbed wire is the ultimate dishonor to one's self esteem. And this horror was perpetrated on the basis of racism: brute force and imprisonment imposed on us the idea that our Japanese heritage, biological and cultural, was un-American and that second class citizenship was our lot. Heavily reinforced was the negative self image of being Japanese—again were Nikkei buried in the grave of self doubts of their identity. Nisei, being born American, had to wrestle even more with the sense of negative self identity as an oppressed and exploited minority, and they became mirrors of the dominant society which rejected them. As a Japanese American psychiatrist has said:

Between those teachings at home and the encounters with the reality of the world outside the home, I and others like me have developed a life style I choose to describe as a form of cultural paranoia. In its most adaptive sense, it has enabled me to withstand both psychological and physical insult . . . In a maladaptive sense, it has constrained me and imprisoned me, and I have become my own jailer.\*

What price for the loss of creativity, individualism, imagination and assertiveness?

The American system of law and justice cries for restitution and redress when unjustifiable acts have been committed. It is a tradition of the legal system that those who have been injured bring such grievances to a judicial body to rectify the damages wrought by obtaining a judgment which clears the defamation and makes monetary restitution. Thus, failure to institute such proceedings is construed as an admission of the guilt of the injured party. There are many Americans who are not aware of this wartime civilian atrocity, but of those who are aware, many believe, even now, that evacuation and detention were justified. Ignorance and false notions held by society can be counteracted if the United States Government explicitly acknowledges the wrongful acts committed against Japanese Americans during World War II and grants proper redress to those victims.

Precedents exist for governmental admission of wrongs committed in the past: witness the claims secured by Native Americans and Alaska natives. German Jews experienced the holocaust and the death of six million in gas chambers in Nazi death camps; while Japanese Americans

\*L. S. Sata, Musings of a Hyphenated American in S. Sue and N. N. Wagner (Eds.) Asian Americans: Psychological Perspectives. Science and Behavior Books, Inc., Ben Lomond, CA. 1973.

were not systematically murdered en masse, there is analogy in the uprooting, the confinement behind barbed wire with armed guards. In both cases, the Governments persecuted their own citizens solely on the basis of ancestry. West Germany has already made a restitution payment of \$25 billion and will pay another \$10 to \$15 billion. The United States Government, which urged the German Republics as well as the Polish Government to make redress payments to Jews, can do no less than look to its own history. In its zealous declaration of human rights all over the world, the United States has forgotten derelictions in its own backyard. There could be no more forthright action by this Government for human rights than the clear admission of unjustifiable acts committed against Japanese Americans in World War II and the granting of restitution.

It is no more than a simple act of justice for wrongs inflicted, and it is an issue that concerns all Americans who believe in the ideals of equality and morality. Redress tells the world that America is big enough to acknowledge that it did wrong and is willing to make restitution. Only by such action can we believe that such injustices will not happen again. The case is clear, the cause is just, and the time for action is long overdue.