

LAND LAW REPEAL

By Toru Sakahara, Co-Chairman, Land Law Repeal Committee

A recent letter of unknown circulation and an article by the same writer under "Voice of the People" in the North American Post questions the wisdom of another repeal effort. It suggests funds be better used for the aged and other purposes. This article is to explain why repeal is worthwhile.

The so-called Anti-Alien Land Law in our Constitution does not prohibit all aliens. It permits ownership in Washington State by aliens without declaration of intent, if they fall into five different classifications. Such aliens need not even be residents of Washington. These exceptions are:

1. Acquisition by inheritance;
2. By mortgage foreclosure or in the ordinary course of justice in the collection of justice in the collection of debts;
3. Lands containing certain mineral deposits or necessary for mills and machinery for developing such minerals and the manufacture of products from such minerals;
4. Canadian citizens of provinces which do not prohibit ownership of provincial lands by Washington citizens; and
5. By a corporation.

The Walter-McCarran Act making all persons eligible to U.S. citizenship nullified the broad application as far as Orientals are concerned. But no one can deny, least of all a person of Japanese ancestry, the Anti-Alien Land Law was a form of economic discrimination and oppression.

It greatly circumscribed and restricted the lives and lot of all persons of Japanese ancestry, citizens and non-citizens alike. It made native-born Japanese Americans second class citizens. Many Nisei today would be farther ahead in terms of wealth and property if it were not for the restrictions placed on our parents.

Reasons of expediency, the comfort of jobs and homes we enjoy today, perhaps short memories, and lack of gratitude for what our parent generation went through may suggest that we forget about it. Are we really that smug and complacent?

On the other hand, we who are of Japanese ancestry have the most compelling reason and motivation for urging repeal. We suffered in substantial numbers and as a class, as immigrants and children of Japanese ancestry.

Today, we should stand strong for repeal and in sympathy to those who are still denied by a law which was discriminatory in intent, inconsistent and obsolete--yes, even hypocritical.

Should a Washington resident alien be prohibited when relatives in foreign countries may inherit? Money lenders who are citizens and residents of foreign countries may on non-payment of a debt foreclose mortgages and attach Washington land and thus acquire it. If there are certain mineral deposits, non-resident foreign citizens and corporations may come in, purchase, put up mills and machinery for mining and manufacturing those minerals. Non-resident Canadians may buy Washington land for any purpose. Corporations owned and controlled by a non-resident foreign stockholders may purchase land in Washington whatever the reason.

It is the height of hypocrisy to welcome large foreign investment and capital in Washington for developing land in the state on the ground that they are aiding the economy of the state, increasing its products, payrolls and providing additional tax revenue. The HUMAN right to purchase and enjoy a home should at least be on the same level as corporate rights to invest capital in our state.

A substantial number of people are still affected by this law who are of Japanese ancestry, although under the same disabilities as others who have not declared their intent who are of other national origins. But with the recent change in the U.S. Immigration law, it is anticipated that a larger number of persons of Japanese ancestry who would similarly be affected. These people are human beings and their lives should not be circumscribed by an unfair, inconsistent law.

A question most often raised, is "Why shouldn't they become citizens if they want to own land?" Such a question demonstrates a lack of knowledge of history as well as of the Anti-Alien Land Law itself.

Today, the United States is engaged in a holding action against forces we consider to be dangerous to the principles for which we stand. Men and women are dying on the battle fields of Viet Nam and standing guard at outposts all over the world for this purpose. And the United States seeks exchange of goods and commerce with the Pacific Rim Nations of the Asiatic continent.

(Continued on next page.)

Peoples of such countries are conscious and sensitive to any action within the United States which smacks of prejudice and discrimination based upon race or national origin. Aside from the recent world wide attention on Negro-White racial problems, the peoples of the Pacific Rim countries have long memories and know all about the Anti-Alien Land Laws which were universal in the Pacific Coast states, of which Washington alone has one still on its books.

The State Legislature and thinking people of our state endorse and support the repeal. News of defeat in prior campaigns was received with amazement and consternation. Unfortunately repeal requires a "YES" vote at a general election. The margin of defeat was 1% in 1962. 15,000 additional "YES" votes would have put it over.

The campaign for November, 1966 will be conducted in a different manner. Hopefully we will reach more voters so that chances for success are magnified by larger campaign funds and by greater personal effort of every person interested with reason or motivation to support it.

Whether one agrees or disagrees with JACL as to the wisdom of a \$30,000 campaign fund for another effort to repeal the infamous Anti-Alien Land Law is a question which each person is entitled to his own opinions.

One can contribute or not contribute to public programs according to his interest and belief in the merits of the program proposed, whether it be one for the relief of the aged, the needy, recreation for youth, float for Seafair parade, or what have you.

It is hoped, however, that on November 8, 1966 in the voting booth, each Issei, and Nisei citizens will be registered to vote and will pull down the lever for a "YES" vote.

SEATTLE LAND LAW REPEAL COMMITTEE

All members interested are invited to attend. Regular meetings are at JACL office, 526 South Jackson Street, Seattle, Washington from 8 p.m. on the second and fourth Friday of each month.

Your attendance will be appreciated. We need your advice and help!

James M. Matsuoka, Co-Chairman

Toru Sakahara, Co-Chairman

SEATTLE HUMAN RIGHTS COMMISSION

By Y. Philip Hayasaka

The Civil Rights picture is a dynamic one. The face is accelerating and a constant shifting of gears is necessary to cope with the traffic conditions on the road to equality.

It was not too long ago that the focus was on racial harmony. Today, it is on racial equality. It was not too long ago that discussions centered around whether the doors of employment should crack open. The question today for those who haven't is when.

The emphasis of concern is now shifting from Civil Rights to Human Rights, and the complex and difficult, perplexing and trying situation will become even more so, unless we shift gears from the concepts of equal opportunities to that of equal effects and results. Where obstacles of discrimination on the road to equality is obvious, the laws and the courts can be effective, but where discrimination is subtle, and is blended with skills, education and experience; with fears, myths and stereotypes; and with schools and neighborhoods, then we must look for and use other means.

Most persons today emphasize the equality of opportunity concept. Yet, when this goal is reached, it will still be meaningless for the unprepared who have been handicapped by their experience and by their education. As most jobs today require a degree of skill or training, the concept of equal employment opportunities becomes unrealistic for the unprepared and disadvantaged. Gears are shifting toward job training and tutoring; realistic hiring and promotion procedures and opening new channels of communication for mutual understanding.

Efforts are being directed to reach all sections and classes of society, such as for the pre-schoolers, the dropouts, the hard to reach.

Equal opportunity removes some barriers on the road to equality, but to those with a heritage of discrimination, to those headed for jobs soon to be non-existent, and to those ignored and ostracized by society for so long, equality of opportunity by itself means but little. Unless there is tangible evidence of meaningful effects and results from equal opportunity, there will be little significance of human rights for all persons.

TED IWATA REPORTS ON THE YOUNG ADULT GROUP

The cabinet meeting held at Eileen Suyama's place developed tentative plans for the basketball tournament and the dinner-dance during the week-end of the DYC meeting. Besides the approval for these plans the constitution for the group will be discussed and ratified.

(Cont'd top next page)

TED IWATA REPORTS (Cont'd from page 3)

Don Matsuda and Drew Kiga who are in charge of housing would like to know the members interested in housing people during the basketball tournament.

As there still remained many questions after Tak Kubota's speech at last month's meeting, Toru Sakahara will elaborate further on the Alien Land Law. A summary on the Alien Land Law will be included with this newsletter to provide additional background information. This summary along with Mr. Sakahara's speech should remove any lingering problems about this issue, but be sure to ask any questions which may remain unanswered. As a reminder the general meeting is on February 15 at 8 p.m. at JACL office, 526 So. Jackson Street.

Last month I featured a special newsitem on our president, Eileen Suyama. But due to difficulties in setting the newsletter, many members overlooked the article. This month I have repeated the article for those who did not have the opportunity to read it, in addition to another sketch of an officer.

WHAT MAKES SUYAMA RUN? OR HOW DO THE OTHER OFFICERS TICK?

By far the most pleasant interview was conducted with the newly elected president, Miss Eileen Suyama. Although her replies to my questions were often distorted by an innane sense of modesty, I was able to interpret her answers and create what I hope to be a fair representation of our honorable.

Miss Suyama is a junior at the University of Washington majoring in sociology. Although modesty again prevented her from disclosing her G.P.A., informed sources place it in the very high "B" range. She hopes someday to carry on some social work and was voted by this writer as being the most likely to succeed.

Eileen gave up a very promising singing career to devote more time to her capacity as chairman. When asked why she gave up so much to assume this responsibility, she replied, "Oh, I suppose it's my maternal instincts," and gently repressed a delinquent cowlick on my head. Herewith the interview was concluded and I raced home tearfully to begin immediate repairs on a thoroughly-shredded male ego.

The new group is fortunate indeed in the election of Glenn Sugayama as treasurer. A junior at the University of Washington, Glenn is currently enrolled in the College of Business Administration and plans an illustrative and profitable career in the field of finance.

Oblivious of the stigma placed upon reporters, by certain factions of society, as being tactless sensationalists, this writer posed many negatively suggestive questions at Glenn concerning his past experience at handling large sums of money. Understandably indignant at the implications, he quickly referred to his position in a former YBA cabinet as the director of finance.

Convinced, then, of Glenn's capabilities of assuming the role of club treasurer, I offered my hasty apologies and left him mumbling incoherently about hoarding money in large piggybanks.

Theodore Iwata, affectionately referred to as "Teddy" by admiring coeds, assumed the role of publicity chairman in a landslide victory over an obscure opponent. Fearing a biased and distorted picture of himself in this report, Ted enlisted the aid of this disgruntled peon to compose it.

A graduate of Garfield High School, an institution noted for its unparalleled output of physicists, chemists, and P.E. majors, Ted ignored precedent and is currently receiving an excellent liberal arts education in the field of literature.

This organization already owes much to Ted both for his unselfish effort as interim publicist before his formal election and also for his untiring devotion to duty since then.

--young adult reporters

CALENDAR OF EVENTS FOR FEBRUARY-MARCH

February	11	- Alien Land Law Meeting	8:30 P.M.	JACL Office
"	15	- Young Adult Meeting	8:00 P.M.	JACL Office
"	16	- Monthly Board Meeting	8:00 P.M.	JACL Office
"	22	- JACL Bowling Meeting	8:00 P.M.	Imperial Lanes
"	23	- Human Relations: Face-to-Face Meeting	8:00 P.M.	East Side YMCA
"	25	- Alien Land Law Meeting	8:00 P.M.	JACL Office
"	28	- Human Relations Meeting	8:00 P.M.	JACL Office
March	2	- Scholarship Meeting	8:00 P.M.	JACL Office
"	4-6	- Alien Land Law Movie	7:00 P.M.	Kokusai
"	7	- Newsletter Editing	8:00 P.M.	JACL Office
"	9	- Newsletter Publication	8:00 P.M.	JACL Office
"	9	- Membership Meeting	8:00 P.M.	JACL Office
"	11	- Alien Land Law Meeting	8:00 P.M.	JACL Office
"	14	- Human Relations Meeting	8:00 P.M.	JACL Office
"	15	- Young Adult Meeting	8:00 P.M.	JACL Office
"	16	- Monthly Board Meeting	8:00 P.M.	JACL Office
"	19	- Pre-Council Meeting Dinner-Dance	7:00 P.M.	Olympic Hotel
"	20	- P. N. W. D. Council Meeting	10:00 A.M.	Olympic Hotel
"	22	- JACL Bowling Meeting	8:00 P.M.	Imperial Lanes
"	25	- Alien Land Law Meeting	8:00 P.M.	JACL Office
"	30	- Human Relations: Face-to-Face Meeting	8:00 P.M.	JACL Office

1966

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526 So. Jackson Street, Seattle, Washington 98104.

FROM THE HUMAN RELATIONS COMMITTEE:
By Midori Kono Thiel

Central Area Motivation Program At the corner of 17th and Union, 1139 17th, stands an old mansion of 22 rooms with great curved bay windows and leaded panes. This is the new home of C.A.M.P. Multi-Service Center. The purpose of the center is to provide a central location for dispensing services available to the community under the poverty program and other previously existing agencies.

Some of the services the Center will provide are: Employment Counseling and placement, family counseling, public health services, family planning, day care for children. A branch of the Alcoholism Treatment Clinic is also planned. Some of the Center Staff are Walter R. Hundley, Project Director, formerly director of the Opportunities for Youth Program in Seattle (and speaker at last year's JACL series) Beatrice Hudson, Director of Study Centers, and George Clark, Block Organization Coordinator.

The Study Centers which were mentioned in the November issue of newsletter, has been expanded. At the present Centers are active at: Leschi, Madrona, Garfield, Minor, Stevens, Washington, Harrison, Colman, Meany, and Gatzert; there, students can get homework help, tutoring, and enrichment programs after school hours. Neighborhood block workers have helped in emergency, helped people find jobs, sign up for job training or retraining.

"Basically, says the CAMP newsletter, "we want to change the face, the mood and reputation of the Central Area into the most beautiful, most respected and most socially conscious community in the city. We have seen residents of other sections of the city get what they want from city hall because they are united and act together--we have seen residents of other areas of the city unite to put electric and telephone wires underground or build parks and swimming pools. We can do this too! We have seen residents of other areas of the city take pride in the beauty of their neighborhood; trees, painted houses, which raise their property values and tempt good, stable people to live in the neighborhood . . . If you want to help in achieving these goals, call and let us know." If you want to get the newsletter call EA 3-2824 or write CAMP, 1139 17th Ave., Seattle.

FACE TO FACE, Channel 9, Fridays, 7 p.m.

Feb. 11--hour long evaluation on progress in civil rights in Seattle area with minority groups of Chinese, Filipinos, Japanese, Indians, Negroes.

18--Private preschools and kindergartens in Seattle

25--Central Area Motivation Program; Multi-service Center.

Mar. 4--Discussion: grant to start small businesses

Thursday Forum: Urban League, Feb. 24, 9-10 p.m., Channel 9

Grass Roots Forum, every second Tuesday of the month, at Eastside YWCA at 8 p.m. Tentatively set for March 8--political role of American Negro or discussion of anti-semitism among Negroes. Call Jackson Street Community Council or Urban League for confirmation.

DONALD D. KAZAMA succeeds TSUGUO IKEDA as the chairman for JACL Human Relations Committee for 1966. Both Don and Tsuguo have done much to further better human relations in the Seattle area. Don Kazama was recently an impressive and able panel member on KCTS Face to Face program.

St. Peter's Episcopal Church preschool group is getting underway on Feb. 8. About 15 3-year-old youngsters from the Rainier Vista area will get a chance for some "headstart" help before they enter the public schools. These classes are held on Tuesdays, Wednesdays and Thursdays, from 9 to 11:30 a.m. There is need for drivers to pick up and possibly return the children on one or more days, as well as women to help provide a midmorning treats one or more days. If anyone has some spare time and an idle car, won't you please give Mrs. Shigaki a call--her number is EA 4-7313. There is also need for wooden puzzles, wooden toys, child-size furniture, etc. St. Peter's Episcopal Church, 1610 S. King St.

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SEATTLE CHAPTER
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BRING WASHINGTON'S 1889 LAND LAW UP TO DATE!

Before Washington was admitted to the Union as a state, there was no constitutional or other restriction on the ownership of land by non-citizens. The Territorial Statutes of Washington, adopted in 1864, contained a provision "...that any alien may acquire and hold lands, or any right thereto, or any interest therein....." This provision actually encouraged ownership by non-citizens.

The Constitution of the State of Washington which was framed and ratified in 1878 likewise made no distinction between resident non-citizens and citizens as to the ownership, possession, enjoyment and descent of property.

The Constitution of 1878 had no real life, but the Constitution now in effect in the State of Washington was framed in a Constitutional Convention which met between July 4, 1889 and August 22, 1889. The constitution proposed to this convention, drafted by Hill, contained no prohibition against non-citizen ownership or control.

The general temperament of the Pacific Coast States was anti-Chinese between 1857 and 1889, when Oregon, California and Washington were admitted into the Union. The Oregon Constitution adopted in 1857 contained a direct reference to Chinese and a prohibition against such people holding any real estate or mining claims.

The California Constitution adopted in 1879 contained a direct mandate or instruction to its state legislature to prescribe by law control over non-citizens.

Debates at the Constitutional Convention for the State of Washington were recorded in shorthand but never transcribed. However, newspaper articles published during the convention indicate anti-Chinese sentiment and reports of discussion in the Convention of proposals to "debar aliens from holding land."

Some writers of our legal history even attribute a news article of August 9, 1889, reporting the hanging of a Chinese in Portland, Oregon, for murder, as having something to do with the action taken in the Constitutional Convention.

Nevertheless the final draft of the Constitution for the State of Washington adopted in 1889, contained restrictions against ownership of land by non-citizen individuals and corporations, as Article II, Section 33.

There was no action taken by the legislature of the State of Washington to implement the constitutional restrictions against non-citizen ownership of land until such action was taken in 1921.

Immigrants from the Orient in terms of numbers was greater by Japanese and the clamor for restrictive action to control economic competition was directed against Japanese.

Similar legislation was passed in the State of California in 1913 and 1920. As the U. S. Supreme Court stated in *Oyama vs California* (1947), "...the more basic

purpose of the statute was to irritate the Japanese, to make economic life in California as uncomfortable and unprofitable for them as legally possible....."

Since the end of World War II, the states of Utah, Idaho and Oregon repealed their statutes against non-citizen ownership of land by action of their state legislatures.

After World War II in California some 59 escheat proceedings to forfeit land to the state on the ground they were held in violation of such land laws was started. The state was endeavoring to force certain persons to give up their ownership, possession and use of parcels of land because of their Japanese ancestry.

Thereafter the United States Supreme Court (1948) held that the law violated the "equal protection clause" as to a citizen son of a non-citizen ineligible to citizenship and the case made considerable doubt on the validity of all of the California land law. Thereafter, the California Supreme Court declared such land laws of the state to be unconstitutional. Escheat proceedings were then brought to a halt.

In 1952 the Congress of the United States adopted the Walter-McCarran Act, amending the immigration and naturalization laws of the United States and extending the privilege of becoming naturalized as a United States citizen to all persons regardless of national origin.

The effect of this act was to extend naturalization privileges to Japanese aliens who were the only remaining substantial population group in the United States.

The practical effect, by court decision and the amendment to the naturalization laws of the United States, was to render such restrictions to the ownership of land ineffective.

In California, discriminatory land laws were adopted by initiative and voted upon by its people. Therefore its repeal required a vote once again by the people of the State of California. In 1955 the California State Legislature passed a referendum proposing the repeal of such land laws in that state and in the 1956 general election, the people of the State of California voted favorably for repeal.

Now the State of Washington is the only state on the Pacific Coast with restrictions on ownership of land by non-citizens.

In Washington, Article II, Section 33 of its Constitution was amended twice. The first time was in 1950 when it was amended to extend the right to hold land in our state to Canadian citizens on a reciprocal basis. In other words, if Canadians permit Washington citizens to hold land in Canada, then Canadian citizens could hold land in the State of Washington.

It was amended the second time in 1954 when the prohibition against the holding of land by non-citizen corporations was struck from this Section. Both of these amendments were voted on favorably by the people of the State of Washington and the

Legislature amended the statute law in conformity with the constitutional amendments.

On November 8, 1966, the voters of the State of Washington will be called upon to repeal that section of our State Constitution which provides the basis for our land law, prohibiting ownership by non-citizens, the only such law remaining on the statute books of any of the Pacific Coast States. It will be a referendum measure, known as Senate Joint Resolution No. 20, that was passed by our State Legislature last year, unanimously in the House and with only one dissenting vote in the Senate. Affirmative vote by our electorate at the polls this November 8th will repeal Article II, Section 33 of our Washington State Constitution that provides for discrimination in the ownership of land not only between non-citizens and citizens but also between non-citizens and alien corporations whose stockholders are not even residents of the State.

Though not specifically worded against non-citizens of Asian ancestry, we know from its legislative history that it was directed against the Japanese principally, though it encompassed the Chinese, too, at one time. Though utilized to prevent the non-citizen Japanese from owning land, its greater discrimination was against native born Americans of Japanese ancestry, as the United States Supreme Court found in the Oyama case in 1948 when it declared that such land laws discriminated against American citizens of Japanese ancestry when compared to the citizen children of other ancestries.

Thus, these land laws of the western states were used to reduce Japanese Americans into second class citizenship and circumscribed and restricted the lives and the lot of all persons of Japanese ancestry, citizens and non-citizens alike, for the half century before World War II. And, in a real sense, these land laws helped substantially to create the prejudice that was fanned in the spring of 1942 into the hate and hysteria that resulted in the mass military evacuation of 110,000 persons of Japanese ancestry from their homes and associations in what has often been described as "Our Worst Wartime Mistake".

The people of Washington can be proud that more Japanese Americans per capita from our State volunteered for combat duty with the 442nd Regimental Combat Team and for military intelligence in the Pacific from the internment camp to which they had been removed than from any other Pacific Coast State. Moreover, they won more than their share of medals, including the Purple Heart.

It is in their name that we today call upon our fellow Americans of the State of Washington to vote affirmatively on Senate Joint Resolution No. 20 on November 8th.

There are those who may wonder why we are so insistent that this section of our State Constitution be repealed when its effect has been voided and nullified by court decisions and by federal statute.

FIRST: It removes a grim reminder of those days when anti-Orientalism was fashionable in the West. But, most importantly, as the late United States Supreme Court Justice Robert H. Jackson described a similar law, "it lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need." In other words, as long as there is legal sanction of the kind provided in Article II, Section 33, in another time of hysteria and hate, it may be used as the pattern for discrimination possibly not only against our group again but also against other races, nationalities, creeds and peoples. No American can be secure in his civil rights and dignity so long as there are these awful reminders of a bigoted past. It would serve as a measure of justice for the heroic sacrifices made by our Japanese American troops during World War II and by their equally loyal parents and families who, through no fault of their own and the accident of birth, happened to look like the enemy.

SECOND: It will declare the public policy of the people of the State of Washington by removing a provision which is obsolete, inconsistent and of doubtful constitutionality. Article II, Section 33 even in original form contained no limitation on ownership by non-citizens acquiring land by inheritance. Also non-citizens could loan money secured by mortgages on land and upon non-payment acquire land by foreclosure. Furthermore, non-citizens were permitted purchase of land devoted to mining. Later amendments in 1950 and 1954 permit Canadians and foreign corporations to purchase land. The foregoing exceptions made no distinction as to residence or non-residence of non-citizens, whether individuals or stockholders. Removal of bars under Federal naturalization law rendered the requirement of "declaration of intention" ineffective for all intents and purposes. The remaining small group still prohibited encompass all nationality groups, but suffer from the discrimination in favor of foreign corporations as against individuals. Private rights and privileges certainly should be as great as that granted to corporations.

THIRD: It will result in economic progress and community harmony. Removal of a symbol of injustice gives a new image for the State of Washington, which is one of only three states facing the Pacific Rim nations with their limitless potentialities of trade and commerce. Washington is the only state which has not taken this step. Pacific Rim nations are deeply conscious of laws in the United States such as Article II, Section 33 and sensitive to their existence. Repeal will go a long way to paving the way to expanding trade and commerce for greater benefits to labor, producers and traders of the State of Washington. Repeal will

further remove barriers which isolate people from people, dissolve tensions and frustrations and promote harmonious communities throughout the state.

January, 1966

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