

# SPECIAL HOLIDAY ISSUE

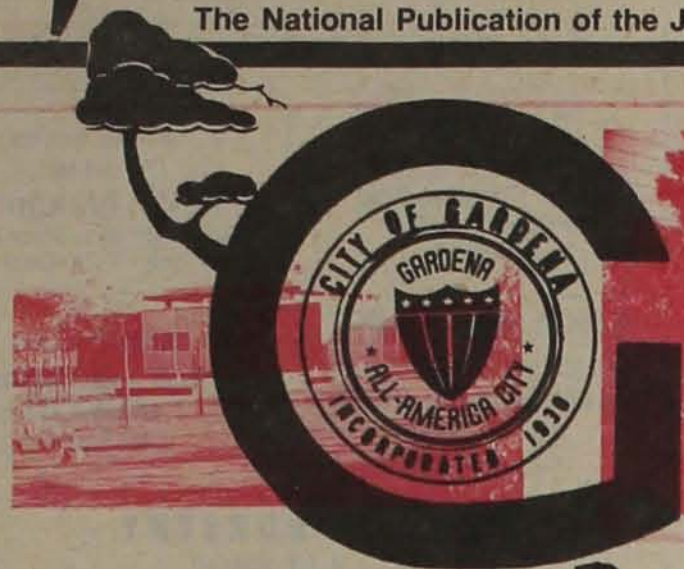
## pacific citizen

December 18-25, 1981

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The new year, 1982, will bring with it new hopes and new expectations. For JACL, it will be the beginning of its fifty-third year and the National Council will gather for its 27th Biennial convention, here in the embrace of the Gardena Valley Chapter.

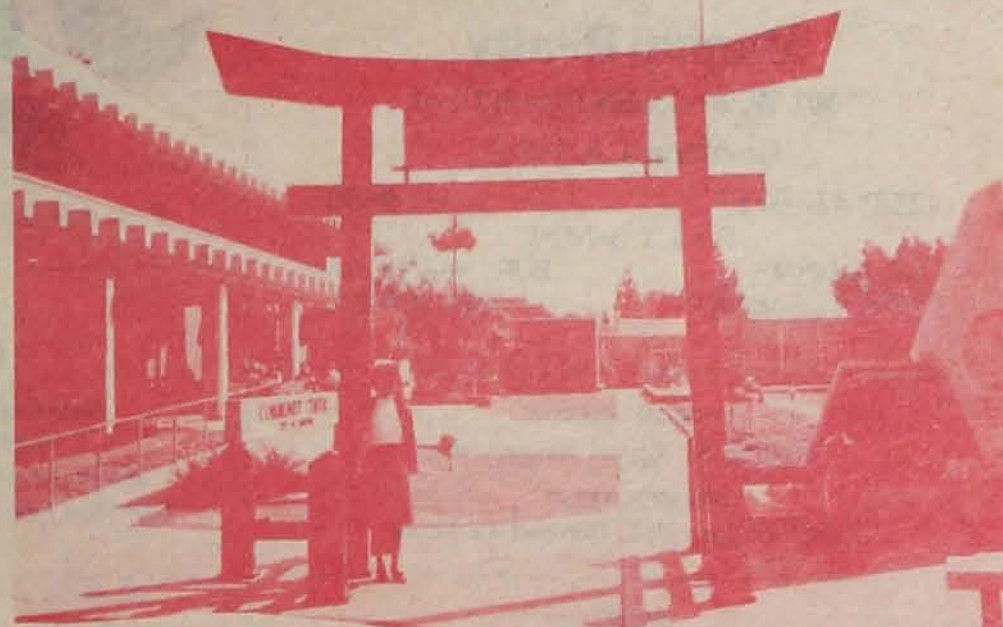
Ever since our formation back on January 25, 1939, the chapter sought to integrate its Japanese influence with the community's civic affairs. Today, we are proud of the visual evidence of the Nikkei presence, created by the hands of our Japanese gardeners, the creators of beauty and the symbol of our heritage.

We take pride in the two Nikkei members of the Gardena City Council in Mas Fukai and Paul Tsukahara; City Treasurer George Kobayashi and City Clerk May Doi. Gardena's Mayor Edmund Russ is a long-standing JACL 1000 Club member and every elected official has in some way cooperated with our chapter to encourage and incorporate Nikkei participation in civic affairs.

A particular treasure to us is the memory of the late Ken Nakaoka, the first Nikkei ever to be popularly elected mayor in the continental United States. The community center, named in his memory, stands as a perpetual reminder of his contributions and joins the County's Mas Satow Memorial Library, as symbols of Nikkei perseverance.

There is a mood and climate in Gardena that is definitely unique; which resulted in Gardena's designation as an "All America City" in 1980. Gardena is friendly, actively and inherently Nikkei. Our chapter calls this "Kokoro" and this is the theme of our convention ... "Kokoro" ... In Gardena, it's a state of being.

LOU TOMITA, Chairperson  
1982 JACL Biennial Convention Committee



## CITY of GARDENA



**Gardena Valley - then & now; 'Kokoro' Confab focus**



# Holiday Greetings from Gardena

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## INDIVIDUAL TESTIMONY

### We who suffered and survived . . .

• Over 700 individuals testified before the Commission on Wartime Relocation and Internment of Civilians this past year. Pat Okura's statement during the opening session in mid-July in Washington, we believe, addresses a major problem which victims of the Evacuation have endured silently and is now being ventilated.—Ed.

By PAT OKURA  
 (July 16, 1981)  
 Washington

My name is Kiyoshi Patrick Okura. I am presently employed with the National Institute of Mental Health (NIMH) located in Rockville, Md. I am the staff director for International programs at the present time; however, I served as the executive assistant to the Director of NIMH for a period of seven years (1971 to 1978).

I was born in Los Angeles, Calif., and spent my early years in Wilmington, Calif., where I attended grade and high school. I then attended the Univ. of Calif. at Los Angeles (UCLA) from 1928 to 1935 receiving my BA degree in Psychology in 1933 and my MA degree in Psychology in 1935.

Following graduation, I was employed as a research assistant for the Los Angeles County Civil Service Commission (1935-1936) and as an administrative assistant for the Los Angeles County Department of Charities (1937-1939).

From 1939 to 1942 I was employed by the Los Angeles City Civil Service Commission as a personnel technician. I was the first Japanese American to be hired by the City of Los Angeles in an administrative capacity. There were approximately 20,000 employees working for the city in 1938 where 50,000 or more Japanese Americans resided. In the 3½ years I was given two promotions and was well launched on my career in the personnel field.

Then came Pearl Harbor and World War II. I was conscious of the fact that possibly my parents might be interned as they were aliens of "enemy aliens since we were at war with Japan, but never did I dream that American citizens, regardless of their ancestry would be incarcerated without due process of law. I felt that probably hearings would be held as was done in England to determine the plight of Americans of Japanese ancestry.

My father, James Momoto Okura, was arrested by the FBI on the night of Dec. 7, 1941 at approximately 11 p.m. after the federal agents had ransacked his home looking for documents and other articles that might prove that he was dangerous. My father was a veteran of the Japanese-Russian War of 1905-1907 and was decorated by the Japanese government for his outstanding record with the highest Medal of Honor given by the government.

He came to the United States in 1908 and settled in Galveston, Texas, and was a rice grower for several years. He then returned to Japan in 1911, married my mother and brought her back to Texas to live. However, my mother did not like the rough life of living on a rice farm, so they decided to return to Japan and left Texas to go to Los Angeles. While in Los Angeles, my mo-

ther learned she was with child so decided to remain in Los Angeles. I was the first child and was born on Sept. 26, 1911 in Los Angeles. By 1941 there were eight children in the family (5 boys and 3 girls).

During World War II three of my brothers served in the U.S. Army and one, the youngest, with the 442nd Regimental Combat Team, was killed in action while rescuing the Texas Lost Battalion. He was 21 years old. One brother was drafted into the Army before Pearl Harbor and served six years as a dental technician. The other brother volunteered out of the Jerome Relocation Camp for military intelligence and served for three years.

My life has been somewhat different than the average Japanese American Nisei in that I have been a strong advocate for equal rights since my freshman year at UCLA in 1928. I spent seven years at UCLA receiving my education in Psychology, and was in the first Graduate Class (1935) in the history of UCLA and the first Japanese American graduate student. I also was the first Nisei to receive a major athletic award at UCLA in 1931 and 1932 (baseball).

**After Pearl Harbor**  
 Following Pearl Harbor we were all placed under a curfew and restricted to within five miles of our residence. Since I lived in Wilmington, and worked in the City Hall in Los Angeles, which was 25 miles away, I needed a special permit to travel to work each day. Practically every day I was stopped by self-appointed vigilantes and questioned as to why I was traveling outside the five mile limit and why I was out after curfew hours. For a period from December to April I was continually harassed by the police and other self-appointed authorities at home, at work, and on the streets.

The harassment continued as follows:

The following is quoted from "Nisei: The Quiet Americans" by Bill Hosokawa.

"The Nisei did not have to go looking for harassment. The experience of Kiyoshi Patrick Okura is a startling example.

"Early in February 1942, shortly before Executive Order 9066 was issued by the President, Drew Pearson charged in one of his broadcasts which appeared on the front pages of the Los Angeles Times and Examiner the next morning that a Japanese American, passing himself as an Irishman named K. Patrick O'Kura, had wormed his way into the Los Angeles City Government, had familiarized himself with the city power and water system, and had installed a ring of fifty saboteurs within the Bureau of Water and Power who were poised to blow up the entire system when word came." Like so many loosely made charges, Pearson's "revelations" held a measure of truth. Okura, jokingly had been called the Japanese Irishman by his friends. He had conducted examinations among applicants for jobs like cable splicer, lineman, and reservoir keeper in the Bureau of Water and Power. And over a period of three years some fifty Nisei had entered the Los Angeles City Civil

Service system and were working in various departments.

"When Pearson's charges were published in the Los Angeles newspapers the next morning someone on Mayor Bowron's staff apparently became very nervous. Okura received a telephone call from the Mayor's office suggesting that it might be a good idea for him to resign thus setting an example for the other Nisei on the city payroll. Okura demanded to know on what grounds his resignation was being sought. The official replied delicately that the resignation of all Nisei might save the city a good deal of embarrassment. Okura then declared he had done nothing wrong and would not resign, reminding his caller that the proper procedure for discharging a civil service employee was to bring charges before the merit board.

"A few days later Okura was summoned to the Mayor's office and Bowron himself asked Okura's resignation. Again, Okura refused. When word spread, the entire staff of twenty-five in Okura's department announced they would resign en masse if he were fired. Soon, however, it became apparent that evacuation orders would be issued shortly, and so Okura asked for and was given a leave of absence for the duration of the War. Although his skills were badly needed by federal agencies, word of the furor apparently destroyed his chances of government employment. He and his wife, Lily, were evacuated to the assembly center at the Santa Anita race track, then relocated to Boys Town near Omaha, Nebraska, where he was employed as a psychologist."

Aside from Drew Pearson's attack, Congressman Dies of Texas and his Un-American Activities Committee devoted two pages of their report on my personal integrity, my character, and my unpatriotic activities all by innuendos, guilt by association, and because of my father's record and activities. The FBI, Army Intelligence, Navy Intelligence had no record of the accusations made by both Drew Pearson or Congressman Dies when I checked with these agencies.

#### 'Blackballed' for 20 Years

As a result of these accusations and the publicity that followed the U.S. Civil Service Commission for a period of approximately 20 years (1945-1965) denied me the opportunity of filing an application for federal employment. I was repeatedly told that I was ineligible for federal employment. It was not until 1970 that I was given an opportunity to be considered for a federal appointment and this was primarily based on my 30 years of professional experience on local community level.

I am convinced and truthfully believe that my professional career was set back 10 to 12 years because of Executive Order 9066 and the incarceration that followed. At age 60 I was able to attain the level of my professional career that should have happened when I was 45 or 50 years of age under normal conditions.

#### Psychological Psychiatric Consequences

During the past 30 years psychologists, psychiatrists and other social scientists have been doing research on the psycho-social consequences of incarceration and victimization and violence. This is adequate and ample evidence to show that certain forms of punishment, interrogation procedures and deprivation of liberty have long term adverse effects on the mental health of the individuals concerned.

Clinical observations on

adults and children suggest an association between traumatic events and late sequelae such as cardio-vascular changes (hypertension) endocrine changes and a variety of symptoms both psychological and somatic. Brain damage can result in intellectual, behavioral and emotional disturbances. Delays in cognitive and emotional development of children subjected to incarceration have also been described.

Any vegetative system or organ can be influenced by acquired conditional connections between the individual and his surroundings. All individuals are subject to these effects although the threshold level of traumatic stimuli may vary.

A general conclusion is that long term adverse effects on mental health, possibly appearing after a latent period, should be expected in victims of serious violence and incarceration. The World Health Organization made a study recently on Psychosocial Consequences of violence and incarceration and recommended that this expectation should be taken into account when assessment of physical and psychosocial disability of victims are made in planning for adequate comprehensive services.

#### J.A. Survivors

Some of the outstanding research done in Denmark, Holland and Norway clearly indicate a distinct symptomatology, physical and mental, in the survivors of concentration camps. For those Japanese Americans who remained in the camps for the duration of the war (1942-1946) four years can be considered survivors.

Whenever people are confronted with unavoidable long-lasting stress, there exists a very persuading similarity in the late sequelae. The burden of the proof of the connection between traumatic experiences and subsequent symptoms of psychological or psychiatric nature should not be the responsibility of the victims of incarceration or the applicant in such procedures. The experience of trying to cope with the late sequelae of WW2 stresses the importance of early measures, the necessity of follow up and the sympathetic reaction of health and mental health personnel, since these were frequently conspicuously absent in the case of the relocation survivors. This experience also illustrates the tendency of society as a whole and doctors to use the defense of denial in the face of emotionally unacceptable facts.

The WHO study points out that this led to denial of legitimate claims for compensation and help, to the withdrawal of survivors into close peer groups, to the exacerbation of suspicion and feelings of isolation and to the feeling by survivors that they were "witnesses without an audience" and that only fellow survivors could understand their story and suffering. This process of denial and alienation has important implications for helping other victims of lesser human tragedies.

If the Commission had the time to listen to the testimony of my peer group who were incarcerated, I am sure that the Commission will find that we suffered a great deal of psychological and psychiatric damage. #



# pacific citizen

MEMBERSHIP PUBLICATION: JAPANESE AMERICAN CITIZENS LEAGUE

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## This Holiday Issue . . .

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- 4 **Bay Area Attorneys for Redress: A Brief to the CWRIC**. As stated in the our headline (on this page), an understanding of the Japanese American redress issues in non-legalese.
- 5 **An Interview with Mike Masaoka**. Informally conducted Nov. 4 with John Tateishi and Min Yasui in Washington.

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- 53 **Dr. Alex Yamato: Evolution of Japanese American Communities**. After a century of anti-Japanese discrimination, political, economic and social, it took the Cold War of the 1950s to brighten Nisei aspirations.
- 57 **Floyd Shimomura: Legal Remedies**. Young law professors points out the primary focus of CWRIC is "to recommend appropriate remedies"—not to determine "whether any wrong was committed" as expressed in the title of Public Law 96-317 that established the commission.
- 60 **Eric Saul: Contributions of the 442nd/100th/MIS**. An Army museum curator compares the record of Nisei GIs during World War II to the intrepid Spartans who held off an army of invading Phoenicians at the Pass of Thermopylae, "thus enabling the Greek armies to unite and

win the battles that changed the entire course of Greek history".

- 63 **Lon Hatamiya: Economic Effects of WW2 upon Japanese Americans in California**. An academic analysis, using Census Tables, on the plight of Japanese Americans before and after the forced evacuation and detention camp period. Footnoted.
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- 14 **Ferris Takahashi: "When Your Body Has Been Rolled in Thorns"**. Another short story by a writer who has been contributing her talent to the Holiday Issue for many years.
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- 127 **Holiday Issue Boxscore**. More people and chapters help make the 1981 PC Holiday Issue a success. Individuals at the JAACL Chapter level who were most responsible in this effort are noted on **page 104** under "People Who Count".

### Brief: Bay Area Attorneys for Redress

## History, legal concepts in plain language lend understanding of Nikkei redress issue

Oakland, Ca.

The Bay Area Attorneys for Redress, an organization of attorneys and legal workers in the San Francisco Bay area, respectfully submits the following brief to the Commission on War Time Relocation and Internment of Civilians on behalf of the organizations and individuals listed in Appendix I.

Although we are focusing only on legal wrongs in this brief, we firmly believe that the exclusion and imprisonment of Japanese Americans during World War II were clearly morally wrong. The case for redress should not rest on the legal correctness of our position but upon the entire facts and circumstances of the unfair treatment of Japanese Americans.

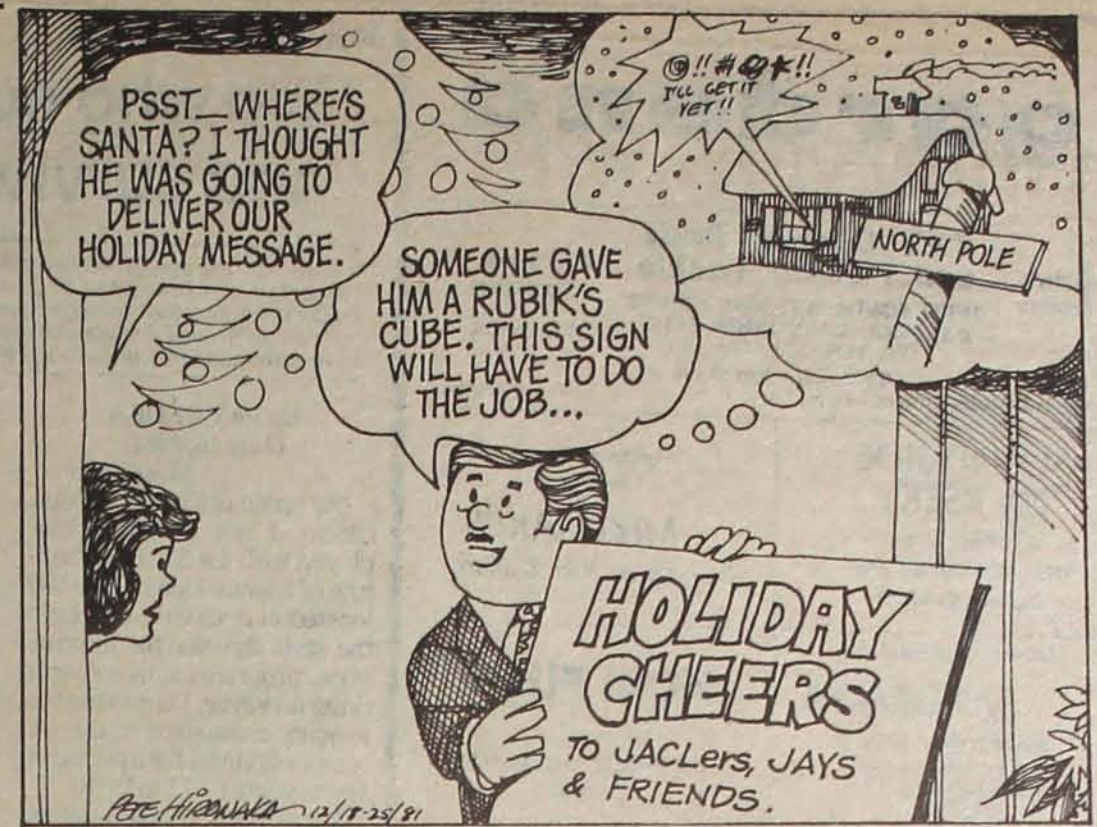
### Introduction

The curfew, expulsion and imprisonment of Americans of Japanese ancestry during World War II have been described by the American Civil Liberties Union as the "...worst single wholesale violation of civil rights in our history." During 1942, 120,000 Americans of Japanese ancestry were forcibly removed from their homes and businesses, herded into concentration

camps, imprisoned and segregated from the rest of society in flagrant violation of their constitutional rights. 70,000 were citizens; one-half were under the age of 21 and 25 percent were under the age of 15. No specific criminal charges were brought, no trials were held and no convictions were obtained before imprisonment.

This brief will present legal and factual arguments that the expulsion and imprisonment were unconstitutional as judged by legal standards existing at the time of the expulsion as well as legal principles which evolved thereafter. The brief will explore and critique the arguments justifying the actions taken against United States citizens and non-citizens of Japanese ancestry (hereinafter, "Japanese American") with the hope that this Commission will take decisive action toward providing reparations to the victims.

We do not intend to present all possible legal arguments against the expulsion and imprisonment nor do we intend to compose a legal brief appropriate for submission to a court. We



### CWRIC Chair's Opening Statement:

## 'To address the issue of appropriate redress'

Washington  
As Chair of the Commission on Wartime Relocation and Internment, I want to welcome all of you to the Commission's first hearing. We begin today (July 14) our inquiry into the causes and consequences of the evacuation and internment of thousands of U.S. civilians and resident aliens during World War II.

Pursuant to Executive Order 9066 issued by President Roosevelt on Feb. 19, 1942, 120,000 persons of Japanese ancestry were forced to leave their West Coast homes, jobs and properties. For several years, these American citizens and permanent resident aliens, including the aged, infirm and children, were confined in camps surrounded by barbed wire and armed guards. They were detained without trial, without hearings of any kind. Military necessity was said to require this unprecedented treatment of a national group.

The evacuation and internment of over a thousand Aleuts living in the Aleutian and Pribilof Islands had an equally devastating impact for those who endured the experience. Evidence submitted to Congress indicates that these native Americans were interned under difficult conditions.

There has never been official inquiry into this sad episode in American history. Many Americans have forgotten and many young Americans have never learned about the relocation and internment of U.S. citizens and residents.

In 1980, the 96th Congress, with

broad bipartisan support, enacted and President Carter signed into law Public Law 96-317 establishing this Commission. Our legislative mandate is a broad one, we are to: (1) review the facts and circumstances surrounding Executive Order No. 9066, and the impact of that Order on American citizens and permanent resident aliens; (2) review directives of United States military forces that required the relocation and internment of Aleut civilians; and (3) recommend appropriate remedies.

The 97th Congress, again with wide bipartisan support, passed legislation which increased the number of members of the Commission from seven to nine. President Reagan signed this measure into law Feb. 10, 1981.

As President Gerald Ford said (in 1976) when he rescinded Executive Order 9066 exactly 34 years after it was issued, "An honest reckoning, however, 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."

**Three Functions**

In my judgment, the Commission's inquiry is critically important for a number of reasons. First, it will serve a significant educational function. Democracy depends on a citizenry aware of its history, a citizenry informed of the actions its government has taken, no matter how mistaken or wrong those actions may have been. The Commission will give the American people the opportunity to learn what happened to the Japanese Americans and Aleuts during World War II and why; who made the decisions to relocate and intern them; how that treatment was justified, and how those justifications withstand scrutiny today.

Second, the Commission's inquiry is vitally important to the rule of law. We need to understand how it was that the nation's military and civilian leaders decided to evacuate and confine 120,000 people for no reason other than their ancestry. We need to examine what protections the law offered, and whether those protections need to be expanded. Only with this knowledge can we devise ways to strengthen protections for our citizens and to prevent similar events in the future.

Third, the Commission will provide a forum for discussion on the difficult but crucial issue of redress. Congress has specifically charged the Commission with making recommendations about what actions the government should now take, how it should redress the grievances of those mistreated years ago. There are no easy answers, but the Commission

will explore all possible remedies for the wrongs done. This country's honor and commitment to civil liberties demand nothing less.

**Role of Commissions**

You are all aware, I am sure, of the strong support creation of this Commission has received from both Houses, the Carter and Reagan Administrations, and the public, including the Japanese American and Aleut communities. In the recent past, commissions have played an important role in helping the nation confront major issues. The Kerner Commission on Urban Riots, the Scranton Commission on Campus Unrest, the Eisenhower Commission on Violence, for example, all contributed significantly to our understanding of difficult national problems. It is my hope and that of my fellow commissioners that we will be able to follow their example.

Public hearings held across the nation will constitute the heart of our effort. We will receive testimony from those who were ousted from their homes and interned, from their descendants, from government officials, from historians and lawyers, from all who can shed light on the events and their consequences, and from those who would like to offer their views as to appropriate remedies. We will listen to those who have not been listened to before, and those who influenced the decisions taken.

By holding the hearings in many different locations, from here in the District of Columbia to Alaska, we hope to be able to meet with all who would like to speak with us.

I should emphasize that we do not intend to conduct an inquisition or a trial. What we do intend is to seek to understand what happened and why, to focus on ways to protect against such events in the future, and to address the issue of appropriate redress.

**The Commissioners**

In conclusion, I would like to introduce my fellow commissioners very briefly. Pursuant to the authorizing legislation, each commissioner has been selected personally by the President of the United States, the Speaker of the House of Representatives, or the President pro tempore of the Senate. They are all individuals of great stature, persons who have earned solid reputations by their contributions to the public.

I am honored to serve on the Commission with Congressman Daniel Lungren from California, who has been elected Vice Chairman of the Commission; Ambassador Arthur Goldberg, former Supreme Court Justice and U.N. Ambassador; Judge William Marutani, who sits on the Pennsylvania Court of Common Pleas; Dr. Arthur Flemming, the Chairman from Massachusetts; Senator Hugh Mitchell, former senator from the State of Washington; and Father I.V. Gromoff, of Unalaska, Aleutian Islands. Their combined experience, skills and knowledge are unique.

I am also particularly gratified that they have all expressed their willingness to put aside busy schedules and attend the far-flung hearings that we will hold in the coming months.

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# An interview with Mike Masaoka on WW2 JACL actions

JACL National Redress Committee coordinator John Tateishi conducted an informal interview Nov. 4 with Mike Masaoka and Min Yasui in Washington for a historical overview of JACL's role in the 1942 evacuation and internment of Japanese Americans from the West Coast. Following is an extract (verbatim at times) of that interview as transcribed and edited by PC assistant editor Pete Imamura. Readers are hereby advised that the answers were extemporaneously rendered and not intended to be definitive or final.—Editor.

**JOHN TATEISHI:** What was the situation like for Japanese Americans on the West Coast in 1942?

**MIKE MASAOKA:** Let me begin by saying that when people look back on the evacuation, too many of them look back on it in terms of the present situation and mood of America. The truth of the matter is, that 40 years ago, the dominant theme of "Americanism" was assimilation, i.e. to try to get the children of immigrants to become part of the fabric of America; part of the "melting pot".

We had no Japanese American congressmen; Hawaii was a territory of the United States; there was no "civil rights attitude" throughout the country at the time. The last civil rights bill had been passed after the Civil War, and no civil rights cases were before the Supreme Court.

The evacuation might have been averted in this post-Vietnam, civil-rights oriented era. And with television and radio, even more so, people would have been able to see the kind of people being victimized—women, children, older persons. One must remember that in the pre-World War II days, even the blacks had no great civil rights; Hispanics were just beginning and the Jews at the time were a very silent, unorganized minority.

And in this kind of maelstrom, the race-baiters conducted their vicious attacks to create a mood in California and the West Coast which eventually led to EO 9066.

**MIN YASUI:** Let me add that ever since the 1930s, when Japan began its march on Manchuria, etc., we had a feeling that the Japanese Empire was trying to establish a hegemony over all of Asia. There was a feeling that the U.S. had to be an "arsenal of democracy" and the war in Europe was commencing. The concept of the "buck-tooth Jap" as the enemy pervaded; and even before the war, President Franklin D. Roosevelt had imposed shipping restrictions from the U.S. to Japan. Also, the distinction between Japanese Americans and the Japanese was virtually non-existent.

**MM:** In addition, Pearl Harbor was the first time a foreign country attacked American soil, and many Americans found it hard to comprehend.

Also, to all those critics who could not understand why we had to prove our loyalty to the U.S., well, those ideals of "certain inalienable rights" and civil liberties were post-World War II developments. Today, those rights are taken for granted; during the war, they could not be.

Keep in mind, the essential elements: We were at war. Unfortunately we looked like the people who attacked Pearl Harbor. And to many Americans, we represented the threat that faced their sons, brothers and husbands, etc., who might have gone off to war.

**JT:** In their daily lives, what kind of discrimination did the Issei and the Nisei face prior to Pearl Harbor?

**MM:** When you look back in history, there was certainly a lot of it. One of the most remarkable things in the pre-Pearl Harbor days was that the politicians who eventually turned against us during WW2 had described us as an "unusual minority" because we were one of the most "exemplary of all citizens". We didn't violate the laws, we didn't go around hassling other people. When the ultimate test came, it was believed that there would be respect for Japanese Americans and respect for our parents.

Although I must admit that I was relatively new to the West Coast during the prewar days (from Salt Lake City, Utah), I do remember the respect Japanese Americans had as a group, and at the time, we believed that when the chips were down, we could depend on our political friends.

Unfortunately, this was all a false sense of security—the politicians did a complete turn around after Pearl Harbor, and went with the tide of anti-Japanese sentiment.

**JT:** Was this the public at large who held this view?

**MM:** No, just politicians. The perception of politicians, as I understand it, in California, (can be seen) in such men as Sheridan Downey and Hiram Johnson in 1924. They still carried, latently, many of the prejudices and fictions of the so-called Joint Immigration Committee—they thought "Japs were like rats, and bred like rats."

They felt that the Alien Land Laws of California were not being reinforced enough. Too many Japanese Americans were farming, but neglected to point out that the farmland that the Japanese were farming on was land that the white man didn't want; that the Japanese had been farming for a long time.

In certain areas of California, segregated schools kept Asian

children and white children separate. In certain areas of Central California, public pools would be cleaned on Mondays, but blacks and other minorities could not use them until the following Sunday, right before the cleaning was to be done again.

Japanese, like other minorities were discriminated against in many ways before World War II—a law professor at Cornell had identified 500 federal, state and local ordinances that discriminated against the Japanese in one way or another, including, in many cases, their citizen children.

Of special interest to JACLers would be the fact that one of the first government agencies that I testified before, after I remained the JACL national secretary in 1941, was the Fair Employment Commission, which met in Los Angeles in Sept. 1941.

There I had to argue that trained Japanese Americans should be allowed into defense industries—aircraft, shipbuilding, even railroads. One of the first successes of JACL was that the Fair Employment Commission's chair, Mark Ethridge, commended us by saying that this was the first time that the commission had ever heard of discrimination against Japanese Americans and he ordered the opening up of the various war industries to Japanese Americans.

Had there been no war and no evacuation, I think that the history of the Japanese American in employment would have been very different from what it would have been, partly because of the Fair Employment Practices Act which the JACL helped push through in Sept. 1941.



Mike Masaoka (r) and former Supreme Court Justice Abe Fortas at CWRIC hearings in Washington July 14.

**JT:** Are you saying that Japanese Americans would have been even more successful?

**MM:** Senator S.I. Hayakawa pointed out that a lot of good came out of the relocation, because the Japanese Americans were scattered all over the country. Well, if you recall, right after Pearl Harbor Japanese Americans were ineligible for the draft.

If we were "draft free" in a country short of manpower, skilled labor—imagine how much we would have been paid as architects, engineers and other professional people. Not only that, the manpower shortage was nationwide, we could have been invited to all parts of the country and we would have received higher wages. We were an especially desirable work force; I would say that the Nisei who had to go to camp lost an estimated three generations of wages and salaries, because of the wartime detention.

## The Nisei who went to camp lost an estimated three generations of wages.

**MY:** Another irony might be the fact that during the Spanish American War, Japanese nationals were accepted into the U.S. Navy (although as cooks, mess boys, etc.) while during WW2 the Nisei were not (initially) accepted into the Navy.

Then you have the case of Ben Kuroki, from Nebraska, who became a tail gunner in the Army Air Corps.

**MM:** There were also Nisei serving in the merchant marines, and the Marines on the East Coast.

**JT:** When did you become the executive secretary of the JACL?

**MM:** In 1941. There are a number of stories on how I got this post; I'd like to give you my version.

In 1940, Saburo Kido was elected JACL national president. He felt very strongly that there might be war between the U.S. and Japan. His feelings were much stronger on this matter than those of other JACLers. Kido felt that JACL would need someone who could speak out for the organization, help prepare the organization for the ordeal that he knew would follow.

We called a special national board meeting in San Francisco in late June or early July, 1941. Since I was on the board, I attended the meeting, but had no idea that I would become the national secretary.

The qualifications that we listed for the post included: knowledge of the West Coast community; being able to speak Japanese; and so on.

Personally, I did not think I was qualified—I could not speak Japanese and had little knowledge of the community. I felt that Togo Tanaka would be the logical contender, since he was much more qualified. But I was mistaken; maybe because Togo wouldn't work for what I was willing to work for.

But I remember that in Aug. 1941 I agreed to accept the position for one year and then return to my job teaching debate and parliamentary law in Utah.

My title was national secretary and field executive, the latter post was given to me so that I might be able to make some decisions on the spot.

The salary I made was less than half of what I had been making; however, since I was single at the time with no family to support, I decided to take the position. Also, Kido and other JACL members challenged me to demonstrate some of the ideas that I had proposed for the organization—for example, before I became a member of the JACL, I had brought forth the suggestion that the League become a national organization for all Japanese Americans, not just one for those on the West Coast.

One reason why I was selected a national secretary was that all of the Japanese Americans on the West Coast, including some wealthy businessmen and some older lawyers, had no political connections in Washington D.C. At least I could pick up the phone in Salt Lake City and call a senator, if it were necessary.

Why did JACL move its national headquarters from San Francisco to Salt Lake City during the war? Well, when Military Zone 1 was declared, we moved our offices to Salt Lake City and since the Mormons there were friendlier, and I knew the governor, the mayor, the state chief justice, the senators and the congressmen, it was politically more sensible to move there, because I would eventually have to try and convince congressmen in Washington that Japanese Americans were loyal to the U.S.

Now initially, JACL was considering moving into the eastern area of California, during the period of voluntary migration. But the political and communication connections in eastern California weren't too great, so we decided on Salt Lake City. Now, this raises the question, "Why did JACL decide to go to camp?" I remember when we met with Milton Eisenhower, then director of the WRA, John McCloy, assistant Secretary of War, and Tom Ford, the President's special representative...

**JT:** By whom was that meeting initiated?

**MM:** Well, let's start from the beginning. The JACL moved their headquarters in late May and started operations in Salt Lake City as of June 1, 1942.

The first time that we met with Eisenhower, McCloy and Bendetsen, back in Jan. 41, California Governor Culbert Olson forewarned us that there would be an evacuation and he had met with leaders of the Japanese American community.

Olson made a proposition, which was, in essence, that since most Japanese Americans were farmers, the state of California would set up "work camps" for them and their families. Every morning the farmers could work on these camps to help raise "victory crops" for the United States during the war. The Japanese American farmers, of course, could also sell their produce at a profit.

However, this raised an outcry—Saburo Kido brought up the issue of constitutional rights of American citizens—as far as he was concerned, he was a lawyer, not a farmer, and he wasn't going to become a farmer just for the government of California. I also protested this idea as well.

The federal government sent representatives to most of our meetings with state officials, and it was the federal government who eventually felt that the JACL was the acknowledged leader of the community.

The government also felt that they had to have some responsible organization who could advise, not the Army—because they're pretty hard to advise—but the civilian agencies, about what was wrong with camp life.

Continued on Page 74



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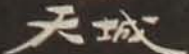
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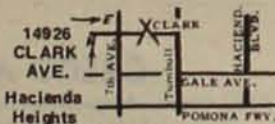
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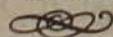
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# BAAR brief

Continued from Page 4

view the public at large as the final judges and to that end, we have avoided "legalese" and attempted to state simply the legal concepts and facts supporting our arguments to the public.

It should be noted at the outset, that the imprisonment of Japanese Americans was not an isolated act but a culmination of years of discrimination against Asian Americans. The Chinese were the first Asian group to arrive in substantial numbers to this country and were greeted by hostility, violence and discriminatory laws. They were restricted by laws from certain occupations, barred from citizenship and eventually excluded from immigration to this country by the notorious Chinese Exclusion Act of 1882.

The Japanese were heirs to this legacy of discrimination. Like the Chinese, they were barred from certain occupations, denied the right to citizenship, prohibited from owning land and also excluded from immigration to this country in 1924. Thus, the imprisonment of Japanese Americans must be viewed in the historical context of pernicious and systematic racial prejudice against Asian Americans.

The expulsion and imprisonment of Japanese Americans is, however, the most dramatic and outrageous event in this disgraceful history. All branches of the government combined to deprive Japanese Americans of their basic constitutional rights. Executive Order 9066, issued by the President, authorized the military to issue orders excluding Japanese from certain areas; Public Law 503 passed by Congress enacted criminal punishment for those who disobeyed military orders aimed at Japanese Americans; and the various military orders and acts of Congress

were validated as constitutional by the United States Supreme Court.

The Supreme Court's decisions in *Korematsu v. The United States*, *Hirabayashi v. the United States* and *Ex Parte Endo* announced the essential justifications for the expulsion and imprisonment. The decisions rest upon racial stereotypes and myths devoid of scientific testimony, evidence or documentation. The Supreme Court approved the concept of guilt by ethnic affiliation ignoring the basic standard of individual guilt essential to our system of legal justice. In brief, the Court abdicated its responsibility by refusing to review military judgments based on half-truths, exaggerations and outright lies.

The disturbing precedents established by the Court stand as "a loaded weapon", to use Justice Jackson's description in his dissent, available against any racial or other identifiable group whenever the military decides to claim a "necessity" for action against such a group. From a legal perspective, we believe the Court's decisions to be clearly incorrect. The legal precedents created, which allow a suspected felon more constitutional rights than innocent groups of people, must never be allowed to repeat itself.

## Argument

### I. THE EXCLUSION AND DETENTION OF AMERICANS OF JAPANESE ANCESTRY DURING WORLD WAR II CONSTITUTED ILLEGAL DISCRIMINATION ON THE BASIS OF RACE.

Equality under the law is a fundamental right guaranteed by the United States Constitution. The mandate of equality under the law is grounded in the Fifth Amendment's prohibition against unreasonable and discriminatory laws which is appli-

cable, specifically to the Federal Government *Bolling v. Sharpe*. The basic idea of equality is that the government, through its laws, ought to treat persons equally. Where the government treats person unequally, the courts require that the government justify its treatment *Strauder v. West Virginia*.

Laws which treat persons unequally solely on the basis of race and ancestry must be treated with great suspicion and courts must subject those laws to the most rigid inspection to preserve the basic value of equality. Race classifications are subject to this degree of scrutiny to prevent the operation of laws that are based on stereotyped prejudices and to protect racial minorities who have been politically powerless to halt the passage of such laws *Loving v. Virginia*; *United States v. Carolene Products Co.*

In the landmark cases of *Hirabayashi v. United States*, *Korematsu v. United States* and *Ex Parte Endo*, the Supreme Court upheld the curfew, exclusion and detention, respectively, of Japanese Americans despite its lofty pronouncements regarding the rights of racial minorities. In *Hirabayashi*, the Court noted that "...distinctions between citizens solely because of their ancestry are by their nature odious to a free people whose institutions are founded upon the doctrine of equality." In *Korematsu*, the Court amplified that holding, stating that "...all local restrictions which curtail the civil rights of a single racial group are immediately suspect" and "...[The] courts must subject them to the most rigid scrutiny."

Unfortunately, the Court failed to apply such noble declarations of the law to the situation at hand and, instead, looked only to whether a "substantial basis" or "rational basis" for the military decisions existed for the curfew, exclusion and detention. Even after announcing these tests, the Court failed to apply them

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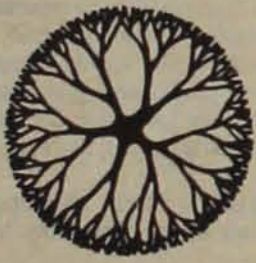
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# Florin 'Monogatari': 1882-1980

## Story of Japanese Who Flourished with Berries and Tokay

Florin, Ca.

Florin is only ten minutes away from the center of Sacramento. Starting from the State Capitol, drive south on Freeway 99, turn off on Florin Road East, and there you will come upon a staggering vista of urbanization, where long ago was but a rustic rural area. The huge Florin Shopping Center now flourishes over land that once served as a private airfield.

Asphalt parking areas cover the ground where farmers hitched horses to plow good soil to grow hay. Sturdy tall buildings of brick and concrete now mark the skyline that had been fertile land green with acres of grape vines.

Turn the pages back for a bit in history. Around 1915, Sacramento was a city of great importance to the outlying towns. Kuzo Tsukamoto didn't mind then taking his family on the long trip to the center of Sacramento (around 4th and K Streets) for their once-a-year shopping excursion. The nine-mile trip seemed an extraordinary effort, but to a family riding on a plodding horse-drawn heavy wagon, Sacramento seemed a very long way from Florin—an arduous four slow hours away!

"Even before the sun was up, Father was out in the barn harnessing the horses readying the wagon," recalled Al Tsukamoto, "Mother scurried about, getting the children ready and of course packing the all-important basket full of onigiri for lunch. This could not be just one day of shopping. This rare annual trip would require at least an overnight stay at the Sanbo Boarding House.

"My parents had worked long and hard all year, hopefully anticipating for this day," Al recalled. "Some years, Mother said, 'We worked and worked all year and at the end of the season, there was no money to go shopping.' But this glad year we were going to town! They had been out in the hot sun week after week in the strawberry patch, enduring backbreaking, physically, the cruelest kind of stoop labor, to complete this good season with strawberries. However (the season's) work was not finished yet, as most farmers in this area harvested a second crop, tokay grapes.

"There followed long days of endless toil in the grape vineyards with heavy lug boxes, harvesting tokay grapes. Many long nights they worked under lantern light, packing and crating these sweet, flame-red tokays to be shipped to eastern markets. Now, that relentless pace of such physical ordeal was temporarily over. This was the time long anticipated. With money that had finally come in, we were going to TOWN! It was a joyous, wonderful excursion, dearly remembered of my childhood."

### Sacramento Swallows Florin

Almost everywhere in the USA, towns are mushrooming into cities. Large cities are booming and expanding into mammoth metropolises. It is no wonder, in the past 30 years, we have been astounded by the fantastic growth of Sacramento, spreading mightily southward, passing over the little community of Florin, extending through Elk Grove and beyond.

Being swallowed up by a giant city has meant losing our Florin Post Office and erasing a brave historic name off the map. The business center has shifted several miles to the west of old town Florin. Landmarks have been bull-dozed away. The famous Seven Mile House was once a famous and a pioneer stage coach stop. It is now a memory for those who lived when it was standing on the corner of Florin Road and Stockton Blvd.

Very few know what transpired during the 50 years of Florin's history. A once peaceful rural grain country became a thriving fruit shipping center. But where are the berry farms today? Why are there no traces of the once flourishing grape growing industry? What were the circumstances drawing so many Japanese to settle here?

And why did Florin disappear? Historians and sociologists have asked, "How could such a story happen here? What factors and forces affected the lives of those who chose to live in Florin?" We attempt to find some honest answers. Only a complete report in the light of history could help to bring out the truth.

Picture a tranquil farm community 112 years ago—a quiet rural area blooming southeast of Sacramento. Even before the railroad found its way to this place.

In 1865, E.B. Crocker came upon a field covered with gloriously bright wild flowers, and exclaimed with delighted enthusiasm, "Such a profusion of colorful flowers found here suggest that a name 'Flor' would be most appropriate! (Flor means flower in Spanish). So it was, that a lovely name, "Florin" was given to this place.

In a few years, descendants of many European countries, were attracted to Florin. They brought with them their own dreams, patience and ingenuity to challenge growth in this virgin farming area. A vital lifeline was added when the Southern Pacific train chugged regularly through Florin, signaling the prospect of a bright future here. By 1878, a little white Methodist Church building stood in the heart of this community.

It was James Rutter, an English carpenter, who introduced Tokay grapes to Florin. The climate and soil seemed most suitable for growing the best tasting table grapes ever to reach the eastern markets. The fact that these grapes ripened earlier than ever to reach the eastern markets. The fact that these grapes ripened earlier than any other grown elsewhere in California was a lucky break. It promised higher prices for the farmers who began to seriously plan growing grapes. They were



The Uchida family takes time out to pose for a picture while harvesting berries in the Florin area, circa May 1910 or 1911.

also glad to see their crops winning many awards and ribbons at county and state fairs. The flame-red tokay grapes received much good publicity increasing the value for this highly marketable product.

### Laborers Arrive

About this time, another development was to affect the future of Florin. Since 1850 thousands of Chinese were imported to assume menial, unpleasant kinds of work shunned by the white Americans. They had been slaving away in a 100 California gold mining camps. Escaping if they could the drudgery and disillusionment of an unproductive labor in the gold country, many were turning to more promising opportunities, such as independent private businesses in the cities and towns.

At the peak of grape harvest, busy Florin farmers, in need of urgent help enticed the Chinese working on the railroad to work on the farm. It was while they were here, that the Chinese started planting strawberries, never dreaming that someday, this place would become a great berry growing center.

As California fluctuated in the 1870s, changes in conditions intensified the struggle to survive. Jobs were getting scarce. Racial prejudice against the Chinese became rampant. In 1882, for the first time in the history of this young America, an anti-Oriental immigration law—the shocking Chinese Exclusion Act—was passed.

### Japanese Immigrants Arrive

About this time in history, there appeared new immigrants to this country. They were not Chinese but they—the Japanese—looked the same to most people.

In 1868, Japan had lifted the centuries old ban on emigration. Any other time in history might have been better for the Japanese arrival than this period as these first immigrants from Japan inherited the tragic ill-will cultivated by the alarmists who sought to rid the Chinese immigrants from California.

### Arrival of Kuzo Tsukamoto

Into this atmosphere tingling with racial agitation, Kuzo Tsukamoto, a young man of 25, arrived in California. He had worked in the sugar cane fields of Hawaii, fished for salmon in British Columbia, built miles of railroad in Wyoming, and dug coal in the mines of Butte, Montana. He had planted grapes in the hot desert lands near Fresno. In 1892, he arrived in Florin, ready to stay.

He hailed from a farming village in Hiroshima. Florin, a quiet rural community, appealed to him. He met other young men from Japan already engaged in growing strawberries. Immediately, Kuzo decided to farm here. A grower named John Reese was eager to have grapes planted and agreed to lease him the land to plant strawberries.

Tsukamoto found to his great relief how well most of the American people in this community treated the Japanese aliens like himself, who knew so little about American ways, nor could he barely speak enough English to avoid embarrassing situations.

Through more than 50 years as a berry grower and a grape vineyardist, hardships were quietly endured by Kuzo. Somehow he managed, with hand gestures and a few English words, to negotiate, perhaps purchasing, a team of horses, or a wagon of hay. He always found someone patient enough to teach him how to go about doing things here. Even farming tools were all new to him. After building a barn and a house to live in with help from generous neighbors, he was soon feeling quite settled. There were times when he wondered why he left Japan, but there were many other times he began to feel glad he was in Florin.

Aware of feelings generated against them by a select few in this community, the Japanese soon learned to confine most of their business with those who were "refined gentlemen of good manners and showed genuine kindness." Among those who were esteemed friends of the Japanese in the area were the Landsboroughs, Ben and Jenie (Simons) Thomas, Charlie Feils, Rev. H.A. Buckner, Miss Alice M. Browns, the Tootels and the Merwins.

Kuzo returned to Hiroshima to marry. By 1901 his young bride joined him in Florin. Like so many Japanese immigrants, their best youthful years had been spent getting started in some form of stable livelihood, or working hard to save enough money before they were ready to get married, and start a family. Kuzo was already past 40 years of age when he finally became a father. They had four children. His wife had brought her nephew from Hiroshima whom he adopted. The children brought special meaning to his life in America. He felt pride in this land and loved this country, for his children were born here, though at times he felt somewhat uneasy. His roots were growing deep into this land. He managed a successful strawberry farm and became an active member of his community, serving as the President of the Japanese Association, dedicated to help all Japanese adjust to life in America and become better members of a good community.

I have described in more detail about Kuzo Tsukamoto because I knew him best, but he is like many other hardworking Japanese farmers who settled in Florin. Some may not have been as conscientious, nor so concerned about expressing their very best manners or moral values. None, however, was evil at heart. None was content to maintain a sub-standard existence as had been grossly reported in the papers.

### Grapes and Strawberries Together

As more and more Japanese were encouraged to come to Florin, white farmers became excited about expanding their grape vineyards. A problem of some significance was solved which was destined to insure economic success for Florin's dual produce farming.

Mr. Nakagawa, introduced the method of raising grapes while growing strawberries. During the four to five years nurturing time required before the grapevine matured enough for profitable harvest, the problem of subsistence for the Japanese farmer tending the young vines was happily solved. By creative experiment, it was discovered that a certain sized strawberry patch with deep permanent ditches would be a good arrangement for planting young grapevines, allowing for space to grow berries for two or three good productive years on the same piece of land, between the rows of grapes.

So it was that Kuzo Tsukamoto learned from Nakagawa and the Florin farmers established for themselves a most ambitious program unique to this area. The soil was most suitable for perishable but sweet strawberries, and raising the fast ripening red tokay.

Each year, more fresh strawberries were shipped in ice-packed cars, to distant cities, as demand for the delicious fruit increased. Enterprising landowners continued to recruit Japanese to share the crop, or lease their land and help them turn their property into profitable vineyards.

In the next 50 years, Florin saw over eight bustling shipping

Continued on Page 38

## 800 attend old-timer reunion at Florin, ex-berry-grape hub

SACRAMENTO—The long-anticipated "once-in-a-lifetime" Florin Area Reunion on Oct. 10 drew an overwhelming response, as nearly 800 gathered at the Florin YBA Hall.

They came from all parts of the United States and even Japan. They had once resided in the communities of Florin, Elk Grove, Mayhew, Perkins, Taishoku and Brighton here, but scattered by World War II to all points of the nation. Many have resettled in California, especially in the northern area.

For each participant, it was a cherished homecoming filled with memories. Former classmates, neighbors and church friends merrily discovered how difficult it was to recognize each other after 40 years, only to be glad to see them again.

There were deep feelings of sadness, however, for those who were missing, and at the same time, the painful memories of the evacuation of Florin 39 years ago.

The reunion honored the Issei of the Florin area, and the 50 who attended the reunion banquet at the Woodlake Inn each receiving flowers and mementos.

Mrs. Kohana Sasaki, 83, La Mirada, Ca., widow of the prewar Florin Methodist minister Y. Sasaki, expressed her deep appreciation and joy in receiving the tribute. Her noble life had been a fruitful struggle for the country she came to respect and love.

The oldest Issei present was 88-year-old Mrs. Fudeyo Sekikawa. Most of the other Issei in attendance were in their 80s (the oldest known Issei in the Florin area are: Mrs. Hisayo Seno, Mrs. Rai Hara and Mrs. Koto Taniguchi, all 92 years of age).

Two Gold Star mothers were also recognized: Mrs. Tsune Tahara, mother of Cooper Tahara and Mrs. Tsuneyo Sakai, mother of Yoshinori Sakai.

Heartfelt greetings were sent from Rep. Robert Matsui, the Sacramento County Board of Supervisors, Sacramento Sheriff Duane Lowe, and many other families, community groups and businesses in the Sacramento area.

Mary Tsukamoto, co-chair of the reunion committee, paid a stirring tribute to the Issei. Speaking in Japanese, she extended a deep sense of gratitude on behalf of the Nisei who were present:

"We Nisei grew up in Florin, cherishing precious memories of seeing the Issei's struggling and endeavoring their utmost to provide us with every advantage, worthy of the best of what is enduring."

Noting the accomplishments that the Issei's descendants have made, Tsukamoto added:

"The Issei were our models. The Nisei have passed it on to the Sansei and some Yonsei are unmistakably grasping the valued legacy... Tonight we express our deep appreciation with a special gift to commemorate this occasion when we finally have been able to say to you, 'What wonderful generations of children and their descendants have come from the Issei. Your dreams have come true!'"



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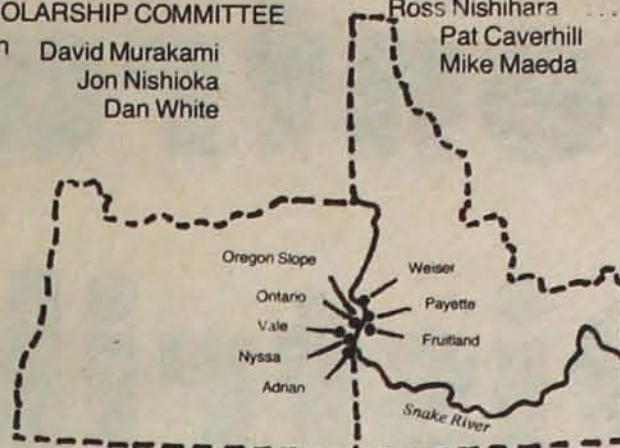
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MUSUBI: by Ron Wakabayashi

## Year of Tears

I have seen more Japanese American tears in 1981 than in all the prior years of my life combined. I have seen *bachan* tears, *ojisan* tears and my own.

It is not that Japanese Americans do not cry easily. Stoicism is a stereotype. We cry at all the ordinary human pain that must touch all of our lives. But, in 1981, we cried for ourselves. We cried for each other's pain of 39 years ago.

Thousands of tragic stories were told. Thankfully, we survived and have worked through much of the adversity that faced us. But, we cried for that adversity. It was so unnecessary. We know more than anyone else, how unnecessary. Others can recognize the injustice. We can feel how unnecessary the injustice was.

There is something about this mass crying that is remarkable. In the hearing rooms, you could tell that we felt each other. We touched each other. We went through an experience of knowing how each other felt. The proper presentation that we have known was laid aside and we took the time to cry together.

The Nikkei man addressing the commissioners paused. His voice was starting to break. In silence, our hearts knew exactly what he was feeling. In silence, we knew each others rage. In silence, we thought about the young Nisei, barely 18 years old, who is forever a veteran, and how we miss him. During the intermission, when another panel of fellow Nikkei are taking their seats to give testimony, we think about what *ojichan* would say, if he were here. #

FERRIS TAKAHASHI SHORT STORY

# When Your Body Has Been Rolled in Thorns

I'VE done 200 feet of board trim in the saw-mill this morning when word comes from Michi that the pass and voucher for the trip out of camp have come. Mighty generous of the government. We get a bus ticket for four to Los Angeles. Another long bus trip with the kids off their feed. Some kind of intestinal flu? The clinic nurse thinks so. Michi's showing more nervous stress these days. I've been worried about her although, logically, the extra work she always volunteers for should be an outlet for stress.

Isn't it odd that I'm not as joyful about leaving camp as I'd anticipated? We were thrown in here to protect us from democracy. And that same democracy put me, a college graduate, to work in the saw-mill. There's a twisted rationale somewhere here. First, the official line was that Japanese-Americans and American Japanese were too dangerous to be at large. Presently, we turn out to be useful citizens after all and we're to get out and get into the mainstream with other citizens? I wonder what those other citizens who've been on the Outside for three years will be like. Like the squads who ran through camp one day in the beginning and took Obachan's best slicing knife and Jill Kanazawa's knitting needles? Or that realtor back home in L.A. who said he'd get us good tenants for our house and to this day has never sent us a cold cent of rent?

It's easy to sound unfair. Most of the staff here at camp have been good folks. The ones who stuck it out along with us and the newcomers who came because they cared about us. They know the summer dust. The ground so hot in the sun, you could fry an egg on it. Wind that gets into anything that isn't sealed in a drum. January days that would freeze the butt off a polar bear.

Rush-rush, we are getting ready to move out and since the travel voucher is validated three days from now, it gives us less time than the week's notice we had to get out of our home and our life. What to take along? There's less than before. Unbelievable how much we've accumulated in this crib they call an apartment. Again, we'll leave things behind. When we were evacuated, Michi insisted we pack my two good suits and her best go-to-church outfits. Did we know we were going to be stalled in a horse stable for three months and then shunted out to a wind-shot, weather-scoured desert? Michi did insist on packing all the kids' toys and clothes. I argued the point with her and I guess she'll never forget it.

No argument about toys this time; we're taking them all and above all I want to save that miniature furniture set old Mr. Nakajima made out of scrap for Jim and Naomi. I hope they'll keep it and always appreciate it. Made of scrap pieces and salvage but what a fine finish! Every detail is perfect. The little dresser drawers slide in and out. Nakajima put love into everything he made or did. He was Grandpa or Ojisan to the whole barracks. Well, he's gone now. Died in the camp hospital. They did what they could for him, but he needed some special new drugs which were ordered but never came.

Jim is seven now, Naomi four. They've learned to play in a little corner or at the table when the weather's too bad for games outside. 'Ba-chan does a wonderful job with them; as I recall, she used much rougher discipline with us, her own children. Is that the difference between a mother and a grandmother? She started to teach them origami. Had nothing but old magazine pages and newsprint at first. Michi was upset: "Ought your mother be teaching them Japanese games?—We've got to be careful. I'm told the supervisors check the barracks for anything printed in Japanese; they can't read it so it might be subversive. Didn't they take Grandma's big vegetable knife because they thought it was part of a samurai sword?"

That was some time ago and now we can order from the big Sears catalogue. Of course one of the first things we got was a new chopping knife for 'Ba-chan. She doesn't like it as much as her old one but she's packing it up along with all the dish-ware, like she did before. Evacuation day, when the buses came for us, it was a sight to behold. In we went, families, suitcases, duffle bags and bundles unimaginable. Like the news pictures of the Jews in Germany being crammed into cattle cars. Nobody knew then what was going to happen to them. We may have felt the fear they must have known. Some of our people were spreading a rumor that we'd all be machine-gunned when the buses were well out of the city with no spectators about. I never believed that. Now and then there was some sobbing among the women and the young ones but for the most part the people held it all in. They say that's the Japanese way but it's not quite that. I've seen Japanese cry like hell. No, we knew we were being treated like criminals and whether you're innocent or guilty, the shame is there, to be stood up in front of the world and feel hate blasting up at you. So we kept orderly and quiet for the sake of the others, that's what. If anyone broke down, it would only make the rest feel worse.

But I'm talking about 'Ba-chan who came out of the house last of all almost bent double under a huge *furoshiki* on her back. She was the one who carted off what we'd really need, utensils, kitchen-ware, all the soap she could find. The steps are tricky and there were two soldiers to see we all got out of there. One of the gorillas just stared, the other, a young fellow, was going to help her. 'Ba-chan waved him off, made a little bow under that big pack to both of them and said in her best English:

"Zank you! Zank you!"  
And went down the steps smiling, without any help.

WHEN the crying really started was when the casualty reports would reach camp. So many of our fellows who'd volunteered from camp, were killed or wounded early. George. Kenji. Sam. Michi's only brother.

A staff worker, Edith Ployer, will drive us 50 miles into town to the bus station. She came over last night to see if she could help Michi.

At the bus station, Miss Ployer helped 'Ba-chan get settled in her seat and then she and Michi and the kids all hugged and kissed. There were plenty of tears. She stood and waved until her bright red hair was just a spot of color far down the street.

Yosh Kano is waiting for us at the big depot. He got out about a month ago, opened up a car repair business in a shed back of his house and says business is starting to come in. I'm somewhat ashamed to face him. When I was a new college graduate and he still a grease monkey, I may have thought I was a little too good for him. So here he is to meet us and drive us to our place. No one else showed up.

The neighborhood looks fresh and green and even our little house seems like a palace compared to what we've been in for the last three years. Except for the Norfolk pine that used to be trained up beside the front steps and over the doorway. It's gone, completely gone. We'll need to repaint exterior, too. Michi says in a very small voice:

"I don't see any curtains."  
We're trying the key but the door opens up by itself, it wasn't locked. Looking down the hall, there's nothing to be seen.

Little Jim pushes past us and shouts:  
"Is this our house? This isn't our house, is it?"  
Sure enough, the front curtains are gone from the living room and the extension rods jab out at an angle. The big valance moulding over them is partially ripped out. Trash on the floor and strips of carpet padding. The good grey wall-to-wall is gone.

"The place has been gutted—trashed out—" Yosh says angrily. "I'd get a lawyer on this if I was you."  
"Oh, what's the use?" Michi whispers.

We move carefully through the debris. Yoshi tries a light switch. Nothing. No light bulbs and we see bare wires where the fixtures were. I find that I'm still holding a suitcase on either hand and I put them down carefully. The kids are running about. Naomi comes back to us, her fists set to her eyes:

Continued on Page 52

BY THE BOARD: by Vernon Yoshioka

## Membership

San Diego, Ca.

This will be another year that will require diligent effort to keep and build the membership of JACL. The same inflationary conditions, added with a dues increase for 1982, means that we must sell the concepts of JACL to keep it alive and healthy.

All of the Chapters now have the material and information required for membership renewal. In San Diego the letter for renewal and the return envelope were sent out with the "Borderline", our Chapter newsletter. A separate follow-up letter will be sent individually to those who do not renew by a given date, which should save on postage this year.

Included in this membership material is the information or tips on how to conduct a membership campaign. This information can be helpful to the chapters. But the key to the growth of our organization depends upon our personal contacts. Please ask a friend to join JACL this year.

A new JACL recruitment brochure is in the mill (slightly late) which is to be given to potential members. It features a pictorial representation of our Japanese American history and a 1982 calendar. I feel that the graphics and calendar are something that every member would like to keep and display. However the National Board decided to print only 20,000 copies for recruitment, less than our 28,000 members, so those must be passed on. Additional copies may be ordered by the chapter for the cost of printing.

And then there is still a way to beat the high cost of inflation on JACL memberships, that is to become a life member before Jan. 1, 1982. The 1000 Club Life memberships will go from \$500 to \$1,000 in 1982. Similarly the Century Club Life memberships will go from \$1,000 to \$2,000 in 1982. Now is your chance to support the organization and get a good deal in the process. The monies received for life memberships go into a trust fund which, if large enough, will insure the future of JACL, as only the interest will be used each year.

And on a final note we must also increase the Corporate Memberships in JACL. Based on the present number of Corporate Memberships, we have been lax in involving this significant segment of our community. The efforts and purposes of JACL have a direct effect upon the welfare of our community's business success, and I'm sure that they will support us, if they're asked.

Vernon T. Yoshioka  
Vice President-Membership & Services

With Best Wishes for the New Year

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# Japanese Strangers in Paradise

More than a half million well-dressed, well-behaved, camera-bearing visitors from Japan annually disembark at Honolulu International Airport bent on experiencing the delights of the reputed island paradise, Hawaii. They meet a near-perfect climate, superb scenery, friendly natives, deluxe hostelryes and personnel eager to cater to their wants and to avoid ruffling their feelings.

Opposed to the complete realization of their dream are language difficulties, differences in custom, harassment for donations by a religious organization, a strip of Waikiki deteriorated into a ghetto of porno shows, streetwalkers and thieves.

Before WW2, Honolulu was a sleepy small town. The few tourists, brought by luxury liners, tended to be wealthy.

One veteran tour driver remarked, "They just came here to relax. Once in a blue moon one would ask an intelligent question."

## Hawaii Visitors Bureau

Even in those days, Hawaii had a Visitors Bureau, though under a different name. But it was on a scale commensurate with the few tourists it attracted. Giant planes, replacing the liners as carriers, changed the situation. The planes brought middle-income tourists in droves. Once somnolent Waikiki proliferated into a myriad of highrise hotels. In and around the hotels sprang up apparatus to cope with the tourist phenomenon.

Middle-class America found Hawaii first. But with the rise of Japan to economic power, and the more favorable ratio of yen to dollar, the Japanese, too, beginning about 15 years ago, turned towards Hawaii.

In the meantime the Hawaii Visitors Bureau had concomitantly developed. Most of its multi-million dollar budget is financed by the State, the remainder derived from private sources. Its major objectives include promoting travel to and among the Hawaiian Islands and maintaining interest in the well-being of visitors.

The HVB official responsible primarily for encouraging Japanese to visit Hawaii is Hiromu Nojima, liaison director for Japan. Born on the Island of Maui, Hawaii, imaginative, enterprising, bilingual Nojima oversees the entire Japanese tourism operation.

## Most Visits for Pleasure

In his Waikiki office, he gave me a comprehensive outline, including statistics. The statistics give a composite of the Japanese visitors, revealing what they expect of Hawaii, what pleased and what disappointed them.

Their median age is 30.9 years. For every 100 female visitors there were 168 male. Ninety-four percent come here for pleasure; of this 94 percent, about 20 percent are honeymooners.

Nojima says, "There are more weddings and honeymooners in October and November."

January is the peak month for Japanese visitors in general.

Honeymooners tend to spend the wedding night in Japan and to come to Honolulu the following day. More likely to want privacy than the general run of tourists, honeymooning couples may leave the airport by sedan. Others may go, 30 to the group, by bus.

The sedan driver will probably be a male Nisei. Some, but not all, such drivers are fluent in Japanese. Those who go by bus, 30 to a group, will be met by a female tour guide, in most cases a member of the Honolulu Japanese Guide Association.

## Honolulu Nihongo Gaido Kyōkai

The Japanese name of this organization, *Honolulu Nihongo Gaido Kyōkai* (Honolulu Japanese Language Guide Association) more clearly indicates its nature than the English. Members are required to fulfill their duties in perfect, standard Japanese.

The young women members formed the group in 1976 after concluding that, though perhaps working for different companies, they had a community of interest. Recruitment is a continuing process; newcomers, learning of the organization, apply for membership.

More than half of the 120 members are bilingual. All can speak enough English to give directions to bus drivers and others connected with their occupation. Most understand at least simple English. Though most were born and bred in Japan many bear non-Japanese surnames.



Hiromu Nojima, Hawaii Visitors Bureau



Happy Japanese honeymooners relaxing at Castle Park, Honolulu.

Photos by Allan Beekman

## Helping with Transition

The guide meets the arriving tourists at the airport where she strives to make them feel welcome and to ease their transition to the foreign environment. They arrive in the morning but their reserved hotel rooms will be unavailable to them until about 2:30 in the afternoon. The steps the guide will take to introduce them to Hawaii in the interim depends on the hour of their arrival and the time they have dissipated going through Custom inspection.

The tourists may enter the Airport branch of Duty Free Shoppers to buy suitable clothing for their sojourn. The women may pose with a handsome, brown-skinned young man attired in a garment reminiscent of ancient Polynesia; the men with a girl model with similar attributes. Then they enter the bus for a sightseeing tour.

The feature of Hawaii to which the tourists accord their highest rating is its natural endowment. The tour bus may take the group to a striking example—the Nuuanu Pali.

## Towering Lookout Post

In the aboriginal tongue, *Nuuanu*, a place name, means "cool height"; *Pali* means "cliff". On the ridge of the Koolau Range, one of the two ranges forming the backbone of the Island of Oahu, the green, fluted walls of this towering cliff overlook all of Windward Oahu. Since the site is a prime tourist attraction, the State has taken pains to create a lookout adequate to accommodate them. Standing here, one sees far below a verdant tableland, somewhat marred by the encroachment of housing on the already overpopulated island. Beyond one sees Kaneohe Bay and the blue Pacific.

The place has historical significance because it is supposed to mark the climax of the battle in Nuuanu Valley where the invading chief, Kamehameha, in 1795, defeated the resident chief, in effect, completing the subjugation of all the islands of the archipelago. According to some accounts, Kamehameha drove 300 defenders over the Pali to their deaths at its base far below.

If her knowledge is gleaned from the few reference works on Hawaii in Japanese, the guide may here find difficulty explaining the geological steps that over the millenniums has carved this wonder from the mountain.

## Memorial for War Dead

The next step may be the most prime attraction of all for the Japanese tourist—the National Memorial Cemetery of the Pacific. In the crater of the extinct volcano Punchbowl, overlooking downtown Honolulu, the cemetery was opened in September 1949. Interred here are war dead beginning with WW2.

From the excellent lookout point atop the crater, the tourist can pose with the four-mile distant Diamond Head, symbol of Hawaii, in the background. He can also look down on Honolulu harbor and observe what the harbor has wrought on this once sparsely populated island.

Honolulu means "protected bay"; it is the best harbor in Hawaii. Its discovery by an English sea captain about 1792 marked the beginning of the pre-eminence of Oahu over the other islands of the archipelago. It soon became the commercial and political center of Hawaii. Most of the population concentrated on Oahu. With the burgeoning of the population after WW2, the one-story frame dwellings surrounded by trees, shrubbery and green lawns have succumbed to masses of highrise buildings. Through these concrete canyons are strips of freeway on which, during hours of peak traffic, the overabundant automobiles creep slowly, frequently coming to a complete stop.

Nevertheless in the green parks fringing the seashore, in the majestic, verdure-clothed mountains to the rear of the cemetery, there is still much to appeal to the aesthetic sense of the viewer. With landmarks pointed out to him by the guide, with photos to commemorate the visit, the impressed tourist descends to visit Iolani Palace and other important places in the Civic Center.

## Police/Tourist Relations

At his hotel in Waikiki he relaxes and freshens up. He may enjoy a dinner show there. Afterwards he is free to wander



Hawaii Visitors Bureau Photo  
At Honolulu International Airport, an arriving Japanese tourist poses with a local model. At right, her male counterpart receives a lei from a female model.

around the neighborhood, coping with its attractions and perils.

The police sergeant in charge of the Waikiki beat is Robert T Wood, who brings some unusual qualifications to the task. Coming to Hawaii from California 16 years ago, he has made himself bilingual and a scholar in the Japanese language. He is working towards a master's degree. Explaining that most of his friends are Japanese, he says, "I speak English only when I have to."

## Hordes of Japanese tourists are descending on Hawaii where a dedicated group strives to give them a favorable impression of America and send them away happy with what they have experienced.

He has written a 33-page indexed pamphlet, "Bridging the Gap: Police/Japanese. A Must for Police Officers and Hotel Security Guards Working in Tourist Areas," the pamphlet is in English-Japanese. The Japanese is rendered in both *rōmaji* and Japanese script. The principle embodied in the pamphlet is that the investigating officer can point out his question in the Japanese beneath the English and then point out the answer. The officer will understand the answer from the English printed above it.

## Beware of Thieves

Hawaii has always had amateur thieves who stole when opportunity beckoned. With the proliferation of opportunities offered by the tourism phenomenon, some who might have remained amateur thieves have developed into full-time professionals.

They lounge around the beaches of Waikiki. When the tourist takes his eyes off his belongings on the beach, the thief quickly pilfers them. Sometimes they take his passkey and go straight to his hotel room.

Wood, who has studied the statistics, says crime is no worse here than in other parts of America. The Japanese tourist is no more likely to be the victim of crime than the Western tourist.

There are, however, peculiarities of the Japanese culture and character that render him more vulnerable to certain types of offenses. These weak points are known to the rogues who capitalize on them.

## Language and Cultural Differences

Though the guide will have warned of the prevalence of crime, the tourist may continue, at least unconsciously, to think of how, in his homeland, in similar circumstances, his belongings would be reasonably safe. The language barrier makes it difficult for him to report a crime. Both language barrier and cultural difference render him reluctant to do so.

Continued on Page 39



Tour guide Atsuko Gray poses with children from Japan at Nuuanu Pali lookout.

Expert on crime against Japanese tourists, Police Sgt. Robert Wood oversees Waikiki beat. —Photo by author.



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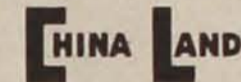


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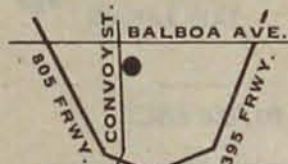
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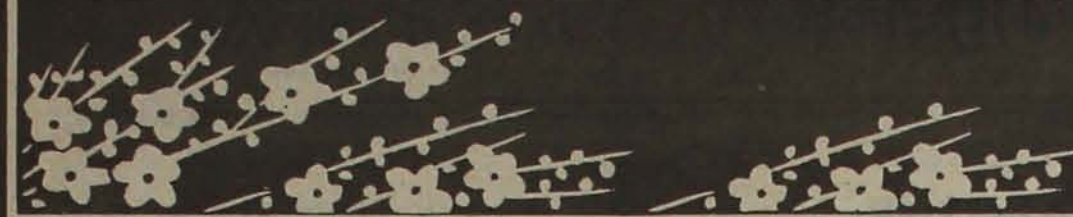
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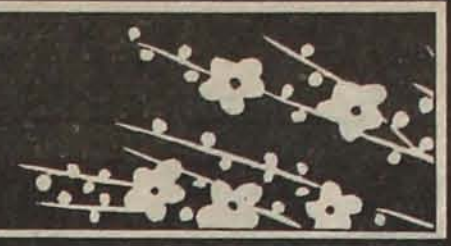
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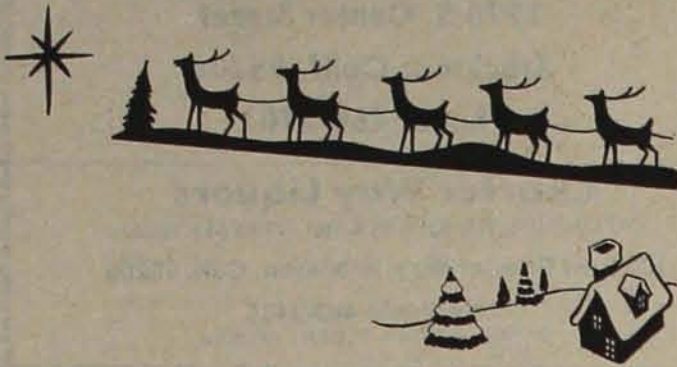
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## MARYSVILLE JA CL

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 ITANO, Frank/Teruko .....203 Clinton St  
 KODAMA, Robert R .....2419 Colusa Ave  
 MANJI, Terry/Helen .....1449 Richland Rd  
 OGI, Art/Misa .....1338 Hunn Rd. #5  
 TOKUNAGA, Clark/Jeanne .....1350 Smith Rd  
 TOKUNAGA, Isao/Nobi .....1331 Bogue Rd  
 TOKUNAGA, Roger/Irene .....3076 South Walton Ave  
 TOYODA, Dr Yutaka/Mary .....1300 Woodworth Ave  
 TSUJI, Bill/Mel .....3037 Bogue Rd  
 YOSHIMOTO, George/Fumi .....1063 North Township Rd  
 YOSHIMURA, Ichiro/Toshiko .....580 Allen Way

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 ISHIMOTO, George/Hiroko .....1123 Diver St  
 NAKAGAWA, George/Chiyo .....1751 Glen St  
 NAKAMURA, Frank/Hatsuye .....15 East 15th St  
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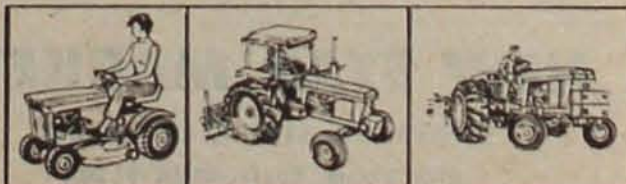
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 MAOKI, Dr/Mrs Terry . . . . .127 Webster St  
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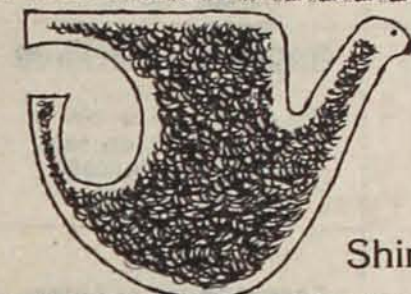
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 MELE KALIKIMAKA  
 me ka  
 HAUOLI MAKAHIKI HOU

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 TO ALL



Solano  
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DOBANA, Ruby	8223 Rannock Dr (10)
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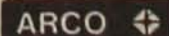
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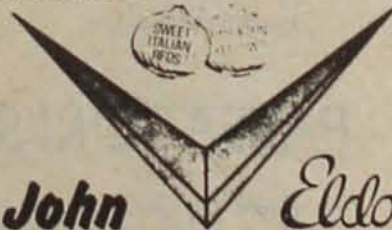
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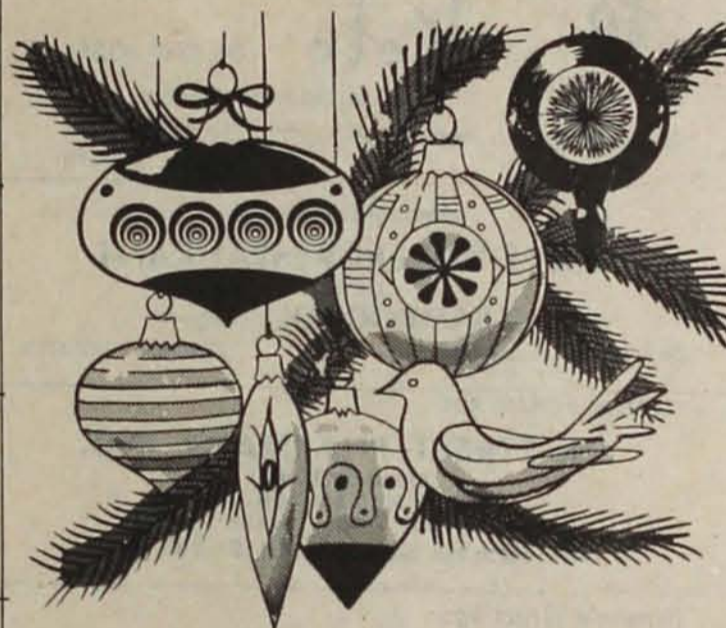
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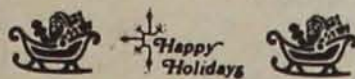
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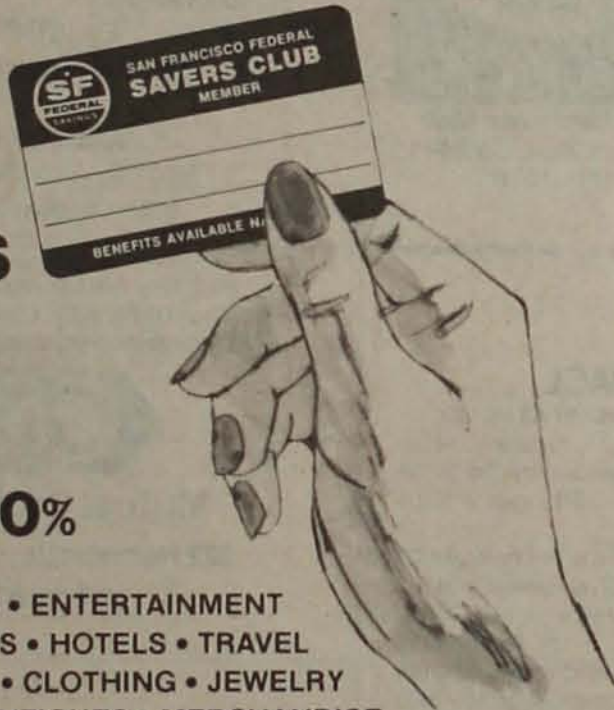
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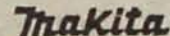
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# Tsukamoto

Continued from Page 10

firms, one time or another, maintaining a prosperous fruit industry.

In one great season, the Florin Southern Pacific depot was the busiest of all the stations during autumn. Some 130 carloads of choice tokay grapes were shipped in 1941 to Eastern markets, a record breaking year. At that time 75% of the grape growers here were Japanese.

Florin had become the biggest strawberry producer, (four Japanese American companies) shipping 129 carloads one season to hit the most ever raised. It did not include the truckloads of berries delivered to local stores and many outlying communities. It was a fabulous industry.

### Florin Becomes a Japanese Town

Florin also grew into what some sociologists claimed was a "community that broke the first rule in the book of etiquette on race relations that the foreigner should never become the major element in the population, unless he is a slave! In fact, unless the foreigner remains a very small element in the population, there is inevitable friction and cause for alarm..." The Japanese people not only outnumbered the whites by 1913, they had taken possession of the main street in town. "Even if the rest of the



Florin Reunion Photo

Small storefronts line a dirt road in Florin's Japanese community. By 1913, there were numerous Japanese owned businesses along Main Street.

(white) farmers in this area had gotten used to this unusual situation, the one remaining white storekeeper in town had not", notes Gulick in his book American Japanese Problem (1914). Exaggerated stories about the Florin Community and the potential threat of Japanese to the rights and decency of all Americans were reported in the McClatchy papers (May 1, 1913), quoting bitter statements made by this one man, John Reese.

He was very same landowner from whom the Tsukamotos had leased land and worked satisfactorily together for 25 years and who also owned the one remaining store run by the white storekeeper.

Around 1906, there had been five or six white-operated stores and shops on Main Street. By 1913 one white storekeeper remained in business on Main Street. Practically every other business was run by Japanese proprietors. In 1942 just before Florin was drastically altered by the events of World War II, there were four Japanese stores: T. Tanigawa's general merchandise store handled foods, hardware, dry goods, an array of sundry items; S. Kato, the Akiyamas and the Ogatas sold fish, meat, produce and groceries. There were two barber shops,

Moritas and Hayamas, Tsuzaki's garage, Nodas' Ice Cream and pool parlor and Nishii's Basket Factory.

There were four Japanese American strawberry shipping companies: the Florin Berry Grower's Assn.; Northern California Farms Co.; Nojiri and Co.; and Florin Berry Co. They managed a most profitable strawberry industry for nearly 500 Japanese American families growing berries in an area extending from Highway 99, east to Mather Field, south to Grant Line Road.

The Florin Buddhist and the Florin Methodist Church met the needs of the Japanese families. There were about seven Japanese Language Saturday schools operating.

### A White Community Co-exists

At the same time a fine Caucasian community co-existed in Florin with businesses catering to the white community. In some cases the Japanese and the white population mutually used the services of either business places run by both the Japanese and white proprietors.

The white community featured one community Methodist

Continued on Page 104

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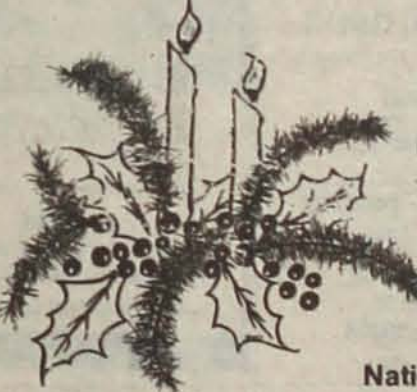


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Since his average stay is only five days, some of it perhaps being spent before the offense occurred, he may be unable to appear in court against the offender. No witness, no conviction.

If the offense is a felony, some carriers and business interests may combine to foot the expense of bringing a victim back to Hawaii to testify. Such generosity might seem a great windfall to an American tourist; a free vacation plus the satisfaction of bringing the guilty to book. To the Japanese the prospect appears in a different light.

He is far more dedicated to the interest of his employer than is his American counterpart. His vacation time has been exhausted; he is reluctant to ask his employer for additional time off. Often he is ashamed to admit he has been victimized. This shame is particularly acute when he has been victimized by a prostitute—a crime to which he is especially subjected.

**Most Japanese Carry Cash**

Instead of the traveller's checks and other safeguards used by the Western tourist, the Japanese tourist is likely to carry large amounts of cash. This peculiarity is known to the prostitute, who may leave his room with his wallet.

Wood comments, "He is not going back to Japan and tell his wife, friends and employer that he has been robbed by a prostitute."

So the light-fingered prostitute goes free.

Though the guide has warned him, without naming organizations, of those aggressively seeking donations, the Japanese tourist is prone to victimization by representatives of Hare Krishna. Though an American might curtly dismiss such sidewalk solicitations, the Japanese is less likely to do so.

If he donates and the solicitor derogates the offering with "Kechi!" (Stingy!) the Japanese might even donate more.

**Solicitation Tactics Foiled**

Wood, who teaches a class in Japanese, found a member of the Hare Krishna among his pupils. It appearing that the member was learning Japanese to improve his solicitation of Japanese tourists, Wood told him he was unwelcome in his class.

Sometimes the solicitation goes beyond verbal entreaty. The solicitor runs after the tourist and forcibly pins a flower on him. In such case, physical contact having been made, he is subject to arrest for harassment. Among arrests for this offense is that of the dismissed Japanese language student.



Atsuko Gray before Castle Park, Honolulu, frequented by Japanese tourists.

During the remainder of his stay, the Japanese tourist may visit one of the neighbor islands, still unmarred by the overdevelopment that blights Oahu. A guide will see him off. The most favored of the islands for this excursion is Kauai, the Garden Island. There another guide will meet him and put him on a bus for a tour of the island.

**Castle Park**

Or he may choose to relax for a day in Castle Park, Honolulu, for which Atsuko Gray, 1980 President of the HJTGA, is Japanese sales representative.

Mrs. Gray met her husband when, as a 15-year-old high school student, her brother brought him home in Tokyo. Later, when she was a college student and he instructor at the Navy Fire Control Technicians School, they married. Two weeks later they were living in Illinois.

When Castle Park, Honolulu, opened in June 1980, he went to work there as assistant director. He is now director.

Owned by Amusement Management, Inc., the park is a duplicate of five in the mainland: one in Arizona, two in California, one in Fort Lauderdale, with a fifth soon to open in Miami.

Continued on Page 42

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# Sunkist.



# Beekman

Continued from Page 39

When I visited this park as her guest, I found the castle, from which it derives its name, behind a moat, with games, snack bar, shop and surrounded by amusements—flume rides, slides, miniature golf, raft rides, bumper boats, miniature car racing and a batting cage. It was frequented by handsome Japanese honeymooners in bathing suits.

She said, "It's the only place they can spend the whole day in a bathing suit."

Later I sat at a table in the Ala Moana Hotel with Reiko Boushey, present president of the HJTGA; Chieko Sasano, vice-president and six members of their committee. They talked about their experiences and problems.

A characteristic of the group is their dedication to learning. In 1971 the Hawaii State Department of Education began holding classes, in Japanese, on Hawaiiiana. In addition the guides carry on a continuing program of self-study. Four or five times a year an expert on a subject of interest will come to lecture to them.

If a guide is unable to answer a question from a visitor, she will take his name and hotel number, promising an answer soon. Mrs. Gray had related an anecdote indicating the lengths to which a guide may go to get the desired information.

When passing a field of pineapples, a tourist asked how the cultivators prevented insects from attacking the newly planted pineapples. To get the answer, Mrs. Gray phoned the pineapple company, explained the problem and accepted an invitation to go into the field to observe and learn at firsthand.

### Concerns on the Yakuza

Of concern to the local authorities are the *yakuza* (Japanese gangsters) who are said to be infiltrating legitimate businesses as a preliminary to smuggling heroin and promoting prostitution. They are also reputed to smuggle handguns into Japan where private ownership of handguns is prohibited.



Allan Beekman photo

From the National Memorial Cemetery of the Pacific, a Japanese tourist surveys the Civic Center of Honolulu. The columned building, center, is the State Capitol. Honolulu harbor in background.

I asked their opinion of the *yakuza*.

Mrs. Sasano laughed. "Sometimes we have groups of such-and-such a gang. But they don't give us a bad time."

She expressed concern of the blighting of the beauty of Oahu through overpopulation and overbuilding. She resented the recent rescinding of special privileges to tourists visiting Hanauma Bay Park, formed around the crater of a sunken volcano opening at one edge to the sea. Tourists had enjoyed lounging there and snorkeling in its limpid waters.

"If they shut off these places, where are we going to take the tourists? People should realize how important tourism is to Hawaii."

### Too Many Foreign Planes

She also criticized the practice of too many foreign planes arriving at the airport about the same time, resulting in the Japanese tourists spending as much as three hours in the overburdened customs.

Since it is to the advantage of the foreign carriers to bring their passengers to the airport at staggered hours, they should confer and perfect a system of doing so. But it is not only the foreign airlines whose insensitivity, at least on this point, merits disapproval. One cannot fail to contrast the dedication of these women with the lassitude of the community at large towards encouragement of Japanese tourism and the use of the Japanese language.

As an example of the latter, there is a situation existing in the prime tourist attraction of Hawaii—the Arizona Memorial.

Built over the remains of the USS Arizona, sunk in the Pearl Harbor attack of 40 years ago, she is visited by far more than a million each year. Disproportionately fewer of these visitors are Japanese than Western.

### Arizona Memorial Visitors Center

Recently a \$5 million Arizona Memorial Visitors Center was

completed shore-side. The Center includes a museum and two theaters. The Navy route the visitors through the splendid Center with clocklike precision. While waiting for a launch to take them to the Arizona, the visitors relax in one of the two theaters in which an excellent 20-minute documentary of the attack is run sequentially.

The documentary is in English. There are no plans to fit it with Japanese dialogue. So it is no wonder that this site attracts so few Japanese.

The documentary should be given Japanese dialogue. Then, when their group numbers justify it, the visiting Japanese can use one of the two theaters at the Memorial with no inconvenience to the English-speaking.

A Japanese tourist strolls about the Ala Moana Shopping Center, reputed to be the largest shopping center in the world. In a shop window he may see a small notice that Japanese is spoken within.

When he enters, intent on fulfilling his obligation of returning to Japan with the *o-miyage* expected in his gift-giving culture, he wonders which of the many identified clerks is supposed to speak Japanese.

If the clerk turns out to be a Nisei, her Japanese is likely to be inadequate. Neither management nor community will encourage her to improve it.

The Japanese language dailies give some help by coining and employing names for local government buildings and agencies. But the dailies are sometimes inconsistent in their use of nomenclature: they may identify a given agency by one name in one edition and by another sometime later.

### Need Japanese/English Dictionary

An educated Japanese may live in Hawaii a half-century and remain ignorant of the Japanese names for the common birds, trees, shrubs and flowers here. With no adequate reference work to assist him, how could he be otherwise!

Dauntless pioneers in an uncharted field, forging a way with only a handful of inadequate reference works to assist them, the brave women of the HJTGA should be an inspiration of Hawaii to improve the situation here.

If he speaks Japanese at a requisite level of competence, a resident might be awarded an attractive button indicating his ability. If the button is standardized, the visiting Japanese will recognize it at a glance and, in need of information, go directly to the wearer.

Above all is the desperate need for a Japanese-English, English-Japanese dictionary of local terms. The dictionary should list birds, trees, shrubs, flowers, place names and the names of government agencies and buildings. In compiling the dictionary, ornithologists and botanists of Japan should be consulted. The crack translators of the local Japanese dailies might pool their resources in identifying local place names, buildings and government agencies so that when a term is entered in the dictionary it will become standard and be so recognized.

Since such a dictionary would be the cornerstone of all Japanese language reference works about Hawaii, it is astonishing that nothing is being done about it.



Hawaii Visitors Bureau Photo

Japanese tourists pose at Magic Island, Ala Moana Park, with downtown Honolulu as background.

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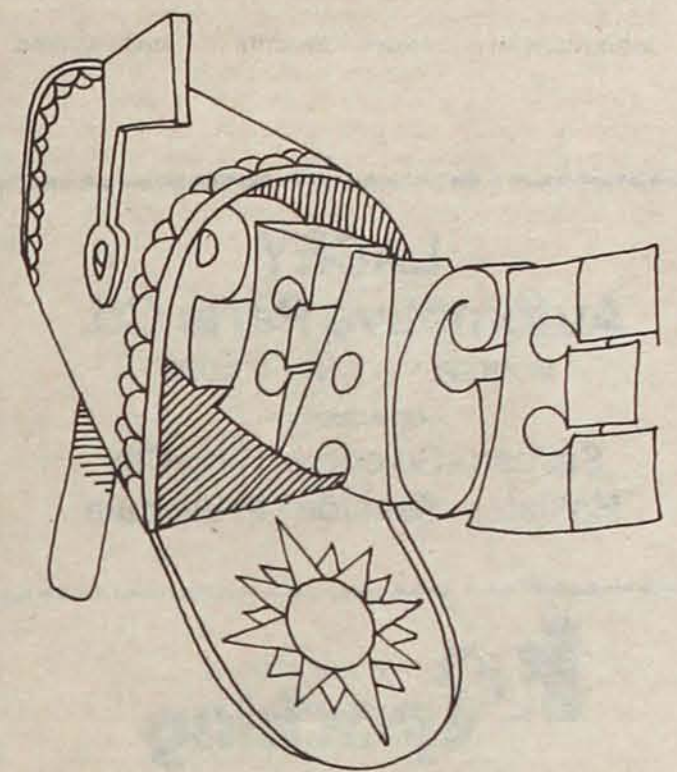
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## '...ROLLED IN THORNS'

"Daddy, Mommy, is this another camp? You said we—we going home."

Michi pulls her close, finds no words for a while. Here is 'Ba-chan, coming in as she left three years ago, straining under a huge *Jurabiki* of floral cretonne. Now I see she's aged. Frailer now, short of breath. We used to say that she bumbled about like a little steam engine. When did her breath ever come so fast and when before did she have to force every step?

I grab the load from her shoulders. She pulls away, she wants to see the kitchen, she says.

We know almost before we see, that the refrigerator will be gone. That the room will be filthy, food-smear. Only a beat-up kitchen table, not ours, with one leg splaying loose. One chair with its stuffing pushing out of the seat, left over from that dining set we were so proud of. We'd even redone the kitchen cabinets to harmonize. Now they're empty and hang with sprung doors like so many grinning masks. A fat cockroach skitters across the greasy floor.

"And that last night I cleaned almost till three, so the tenants would find everything nice—" Michi chokes, she can't go on.

"Tenants!" Yosh barks. "No telling how many have been in and out of here. Looks like some hippie pad." He kicks away a beer bottle. "Lissen," he goes on. "You can't come in like this. You're gonna come my house and stay till things get straightened out. Utilities turned back on. Then this weekend Annie and I will come on over with you and start digging off some of the crud."

"Thanks, Yosh, but we can't do that," I say. "I know you have a full house already with your own family and that older couple that can't get back to Sacramento."

"So, in 24 hours you forgot how to live camp-style?"

"I wonder, is it too late in the day to go over to the Nichiren Temple and look for some of the furniture we stored there?"

Yosh is uncomfortable.

"You didn't neither of you hear? They burned down the Temple. Agency claimed it was due to old wiring, but who buys that? Yep, it burned to the ground. I mean—anybody who had anything there, lost it all."

Yosh drives us to his house which is smaller than ours but neat as a pin.

"We put up a For Rent sign, soon as we heard talk about Evacuation," he explains. "Not a nibble at first except some bum types like they musta been who tore up your place. Then—like at the eleventh hour, this family come and they was dark-complected, like what the old people call *Kurombo* but what the hell?—Weren't we being turned out on account of the color of our skin?—And jeezchrist, they turned out good people. Kept up the garden like it was their own, planted the front in wild geranium and put up a fence on their own cost so's the neighbor kids couldn't over-ride it on their bikes. Painted the bathroom, what we was planning to do when we hadda leave.—Annie had them over for a tempura dinner last week.—Funny thing, that old lady next door, Mrs. Baker, usta be such a good friend to Annie—before. Well, she come over, sweet as honey, making a social call and when she's drunk the coffee Annie made her, she says 'Now that you're back, I hope you'll be selling right away. We don't think you oughta be here nor people like the ones that was here while you were gone.'"

Now Jim and Naomi are romping outside with Yosh's three kids. New friends and not a care in the world. The women are helping clean up the meal Annie fixed for us. We had to eat in shifts but I wouldn't have exchanged it for a banquet at the Beverly-Wilshire. I took first shift with 'Ba-chan and the Satos who want to go back to Sacramento but have no place to live. They sold their house for a few hundred, are next to broke, in their fifties and in poor health.

Why is it, when I should be relaxing, am I suddenly fired up with restlessness, feeling almost wild? Am I getting as tense as poor Michi?—I have to be by myself for a while, be alone. Until I can get away from so many people, I can't realize that I'm really free and out of camp.

It's a beautiful bright clear evening. I ask Yosh if I can borrow his car and look for a pharmacy. I don't like those bluish shadows under 'Ba-chan's eyes nor the way the veins in her hands stand out. I'm told Dr. Suzuki is back in town, looking for office space and not finding it. Till we can see him it wouldn't be out of line to buy some mild sleeping pills for 'Ba-chan—and for Michi. 'Ba-chan wants to go with me, thinks the Japanese drug-store may have re-opened.

I'm driving, my mind's way off and I end up in front of our house again. Now I see every small detail, just as though I were wearing magnifiers. The dried-up, trampled bit of front lawn. Peeling paint on the brick front facing. The bare windows like empty eye-sockets. A large crack down one whole side. That will cost plenty to replace.

'Ba-chan says yes, yes, when I tell her I'm going in for a minute and will she please wait in the car.

In the hallway, what's left of the carpet runner brings back so many memories. Jim's first little tricycle was parked here and how he loved to pedal it up and down! He got it on his second birthday, he could walk and run early. Football legs, I used to tell Michi. It was great fun to peek into the bathroom when Michi was giving him the evening scrub: rosy-brown legs and arms and the whole little body shining smooth. One time Michi looked up at me and I still remember her words: she said just what I was thinking—"How did we two produce something so beautiful?"

Bathroom's a wreck, too. Rust stains in the tub where Jimmy played and after him, Naomi. Leaking faucets. Big gouges in the high-fashion wall-

paper we hung ourselves—looks as if someone deliberately scored it with a cold chisel.

The children's old room is a bare cell. We took down the bunk beds and stored them in the Nichiren Temple. Another expensive item. How am I going to pay for it all? I'm supposed to have a job waiting for me in a construction firm. Right away I'll need a car. Who'll give me credit and how long must I be a laborer before I can get an educated man's job again? I'm looking into every corner now with a strange sort of intensity. Torn candy-wrappers in the closet, an odd soiled sock. A book which I know. We bought it for Jim. *OUR AMERICA* is the title. It's been torn down the middle. What kind of people were here? Hadn't they respect for anything?

I pick up *OUR AMERICA*. Maybe with some tape and glue—no, nothing would freshen the smudge and soil. Better to buy a new one.

No sense viewing the kitchen again, just smelling it could bring Annie's good dinner right back up.

Something holds me back at the bedroom door. Sure, it's stripped and the carpet, even if it's still down, will have to go. Big round stains show and a mat of dog hair under the window.

As I'm backing away from the litter on the floor of our walk-in closet, there's a glint of something bright on the boards. A broken comb, a little round Japanese comb. When Michi and I were first dating, she had long hair and I loved the sight of that tiny red ornament in her black curls. She never brought it out much after she had her hair cut short, just now and then if she had to put on kimono for some church festival. Michi doesn't like wearing the kimono. She says it's binding and uncomfortable but I sure enjoyed seeing her in it.

Being in the bedroom gives me a bad feeling. What kind of things went on here while we were gone? In this place that was more or less like a church to us. After three years of sex denial, we're no longer a normal married couple. Those months at the Assembly Center, five of us in two cots and another family not three feet away behind a drape. Camp was no better till they put up some extra barracks and families finally got a cell apiece they called an apartment. I used to listen, half-disgusted, half-envious, to the gossip about an Issei couple down the row from us, whose sex life gave the whole section something juicy to talk about. Any time they felt like it, so the stories went, they'd tell anyone who happened to be there: "Well, we're going to screw now," and, day or night, strip right down and into bed. Anyone in the room could stay or go, made no difference to them. If some were shocked, the man just laughed.

"If Administration take *this* from us, we find knot-hole. Take knot-hole away, we use the hand!" He'd roar at his own joke and give his good wife's rear end a warm squeeze.

I think Michi would die on the spot if anyone ever saw us together that way. *Our* last time was two years ago, the day before Christmas. Jim and Naomi were at the children's party, everyone had gone somewhere. We shut the door, dropped the latch and pulled the curtain in front of the bed. But it was no good. We still felt ashamed, prisoners to someone else's crime. And now sex seems to have drained out of Michi like scent from a broken perfume bottle. You can still catch the fragrance but the essence is gone.

It's time to move on, the next step is the garage.

Beside the steps down to the garage, there's a door casing where we used to record the height of the kids as they grew. With little tiers of lines marked Naomi and Jim, Jim and Naomi. Made with the unspoken hope that someday they'd be taller than their parents. And finer, stronger, happier.

The little marks are almost blotted out under huge red crayon slashes. Overhead, scrawled blood-red lettering:

RAT JAP

I stand there and suddenly I'm shaking all over. I could howl now, yell it out so the whole world could hear me:

SOMEONE DID ALL THIS ON PURPOSE! THEY DID IT ON PURPOSE! I may have struck at those red letters with my fist. I know I haven't heard 'Ba-chan come in, don't know she's beside me till she pats my arm.

Years and years ago, when I rushed to her with a bad burn, we embraced. Never since. I put both my arms around her. She touches my hand just as she did so long ago. I catch her small knobby fingers, fold them in mine. "Mama!" And then I'm a man again, sorrier for her than for myself.

"Mama, you've been through worse than this." My Japanese isn't fluent. I hunt for difficult words.

"You took a long trip to a strange place and a strange country. You were a young girl and had to leave your family. Your husband couldn't stay with you. He had to wander up and down the state, wherever there was work to be had. Times were hard. Many nights I saw you up so late, cleaning, sewing and I never thought to offer a hand. I was such a dumb kid. You carried heavy pails of water—"

"*I na, i na*," 'Ba-chan says. "It's all right. It's all right."

"All right? It's all wrong!"

"Eh, son, it is said that when the body has been rolled in thorns, even a wasp sting can be endured."

"I don't understand..."

She smiles to me:

"Then you are already wiser than your mother.—We go back now, rest tonight. There is hard work ahead and someday the house will be even better than before."

"Is that what you really think Mama? Can we do it?"

She gives me one short look.

"Do? It is already as good as done."

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Excerpts from

# JACL's Testimony to the CWRIC

## Introduction

By Roger Daniels  
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FOUR decades ago the Japanese American community was shattered by two events: the attack on Pearl Harbor by a foreign government and the decision to move the overwhelming majority of those who lived in the continental United States from their homes on the West Coast into tent and cactus relocation centers in the interior. The first, of course, affected all Americans, but was especially traumatic for Japanese Americans as the Empire of Japan was, for a third of them, their native land. German Americans and Italian Americans felt similar trauma as their ancestral homelands quickly declared war on the United States. The second was a uniquely Japanese American event: no other people, no other community in the United States had ever before—or since—been made to suffer by its own government for an offense committed by a foreign government. December 7, 1941, is, as Franklin Roosevelt predicted it would be, a day that has lived in infamy; but Japanese Americans remember not only Pearl Harbor and its anniversary but also another day, February 19, 1942, when Roosevelt signed Executive Order 9066 which became the instrument by which the west coast Japanese Americans—and a number of Aleuts—were ordered from their homes by the United States Army and incarcerated without a trace of due process or even an allegation of personal guilt. They were all simply found guilty by reason of ancestry.

Shortly after the relocation began, Milton S. Eisenhower, the initial director of the War Relocation Authority, the civilian agency which was created to maintain custody of what it called the impounded people, wrote in a personal letter which he never publicized:

"I feel most deeply that when the war is over and we consider calmly this unprecedented migration of 120,000 people, we as Americans are going to regret the avoidable injustices that may have been done.<sup>1</sup>

History's verdict has been even stronger. Beginning in 1945 with Eugene V. Rostow's justly famous article—*Our Worst Wartime Mistake*<sup>2</sup>—the verdict of scholars has been all but unanimous: the relocation was not only morally wrong, it was militarily unnecessary. This largely academic view received the highest political sanction in 1976 when President Gerald R. Ford, in a most appropriate bicentennial year gesture, issued a proclamation rescinding Executive Order 9066 and declared, unambiguously, that:

"We all know now what we should have known then—not only was the evacuation wrong; but Japanese Americans were and are loyal Americans."<sup>3</sup>

Four years later Congress created the Commission on Wartime Relocation and Internment of Civilians. The several essays contained herein are attempts, by various members of the Japanese American community, to restate and reexamine some of the causes and consequences of the 1942 decision to relocate the Japanese Americans. No attempt will be made here either to preview or recapitulate those analyses and arguments. That a wrong was done in the winter of 1941-42 few can doubt today. Many, however, have honest doubts about

the appropriateness of the inquiry and are more than dubious about any of the proposed remedies. It is these issues that I wish to address here.

There are, it seems to me, four major areas in which the Commission, and through it the Congress, can have an impact: these are history, education, prevention and redress.

It is important, I think, that the Congress, and not just the Executive Branch, go on record and admit its errors in 1942. A government that was created to "establish Justice . . . and secure the Blessings of Liberty" to all Americans persecuted Japanese Americans, seized their persons, caused them to lose their property and placed a stain on their reputation that still affects them and their posterity. The stain, at least, can and should be removed by some action of the Congress. That it should have taken so long is a scandal, but it is nevertheless important that democracy correct its own mistakes. One can only regret that there is no appropriate way for the judiciary to confess its error in *Hirabayashi*, *Korematsu* and the other Japanese American cases.

Since, in Morton Grodzins' trenchant phrase, the evacuation betrayed, not only Japanese Americans, but all Americans,<sup>4</sup> it is most important to create a wider public awareness of the ways in which democracy can, particularly in times of great stress, betray its own principles. The very existence of the Commission, its public hearings, and, one hopes, its report, will all contribute toward that wider education. There are today a few in this land who would deny that the relocation was wrong—as there are those who would deny that the Holocaust existed (or existed in such appalling numbers)—and while no one should even attempt to deny these misguided persons their First Amendment rights it is terribly important not only for the United States government to acknowledge its errors but also that the details of the Japanese American experience be widely and authoritatively disseminated. The relocation is, when not omitted entirely, usually passed over in a sentence or two in history textbooks. In one college level text, for example, three distinguished historians, in a work of over 750 double-columned pages, can say only:

"Since almost no one doubted the necessity for the war, there was much less intolerance than there had been in World War I, although large numbers of Japanese Americans were put into internment camps under circumstances that many Americans were later to judge unfair or worse."<sup>6</sup>

Most high school texts do not even mention the subject. I have often, in lecturing to college audiences in the United States, encountered genuine disbelief that the American government could have actually incarcerated native-born American citizens—men, women and children—simply on the grounds of ancestry. It is very clear to me that one of the things that the Commission can help to do is to make it more difficult for educated Americans to doubt that it really did happen here.

Since it really did happen here, one question that naturally arises is "Can It Happen Again?" Sadly, the answer to that question must be yes. What has happened before can always happen again; but it need not happen again. A nation more aware of its past excesses might well be less inclined to commit them again. In addition, it ought to be possible to devise positive statute law which would make it more difficult for mass incarceration to take place and which might provide more speedy mechanisms for wrongly incarcerated Americans to secure their rights. Ms. Mitsuye Endo, the heroine of *Ex*

*parte Endo*, had to wait for her freedom from the summer of 1942 until December, 1944, when the Supreme Court acted favorably on her petition for *habeas corpus*.<sup>7</sup> It is surely true that eternal vigilance is the price of liberty, and that the Constitution itself ought to have been an effective shield, but, in times of crisis that shield often more closely resembles a colander, at least for persons who seem to be a threat either to national security or to what is thought to be more efficient prosecution of the national will. An examination of the "Emergency Detention Act of 1950"—now happily repealed—will show how closely the Congress followed Japanese American precedent in an attempt to deal with presumed ideological enemies of the republic rather than with ethnic ones.<sup>8</sup> No conceivable legislation can insure future safety, but well drawn statutes might well have some deterrent effect.

Finally, it is necessary to deal with perhaps the most vexed and devious issue raised by the Commission's inquiry: the question of redress, and, more particularly, of monetary redress. This is an issue which clearly divides even the Japanese American survivors of the wartime incarceration. No one knows whether a majority favors monetary redress or not. The Commission, in the course of its nationwide hearings, will not only get its own notion of community opinion but also might will help influence that opinion which is still evolving.

My own view is that monetary redress is entirely appropriate. Monetary awards have been a traditional method of redress in the Anglo-American legal tradition since time out of mind. It is certainly true, as many alumni of American concentration camps have said to me, that no apology, no amount of money, can ever give them back their lost years, their anguish that their suffering was inflicted, not by the enemy but by their own government. Just as the workmen's compensation statutes of several states, which provide so much for the loss of an arm, so much for the loss of an eye, etc., do not give back to the victims their limbs or their organs, they do give them something. If government can make restitution for private industrial accidents in money it certainly can do so for governmental tyranny inflicted by act of Congress.

Should the Commission decide to recommend monetary redress, I urge that it be made simple and quick, a fixed sum for everyone still alive who suffered dislocation because of the wartime hysteria. Time is of the essence. Justice delayed is justice denied. Perhaps a third of those who were incarcerated can no longer gain redress from any earthly body. The survivors deserve redress soon. #

### ROGER DANIEL'S FOOTNOTES

1. Letter, Eisenhower to Claude Wickard, April 1, 1942, "Correspondence of the Secretary of Agriculture, Foreign Relations, 2-1, Aliens-Refugees", Record Group 16, National Archives.
2. *Harper's Magazine*, 191:193-201 (1945). See also his, "The Japanese American Cases—A Disaster", *Yale Law Journal* 54:489-533 (1945).
3. Gerald R. Ford, Presidential Proclamation 417, February 19, 1976.
4. *Hirabayashi v. U.S.* 320 U.S. 81 (1943); *Korematsu v. U.S.* 323 U.S. 214 (1944).
5. *THE JAPANESE AMERICAN CASES: THE STORY OF THE JAPANESE EVACUATION*, Chicago, 1949.
6. Richard Hofstadter, William Miller and Daniel Aaron, *The United States: The History of a Republic*, Englewood Cliffs, N.J., 1957, p. 695. Japanese Americans do not even appear in index.
7. 323 U.S. 283.
8. *U.S. Statutes at Large*, 64:1019.

## Evolution of the Japanese American Communities

By Dr. Alex Yamato

THE story of the development of Japanese American communities is the struggle of a people who are thrown together because of race and culture to eke out a living in a hostile society. Those first generation Japanese, the Issei, created unique communities which reflected the specific social, economic, and political conditions of the area. For example, the San Mateo Japanese were mainly employed in domestic and service jobs. San Francisco, which the Japanese called Soko (mulberry port), was a port of entry for Japanese entering the mainland U.S. San Francisco became an important center for immigration and commerce between Japan and the U.S. San Francisco, having a legacy of anti-Oriental opposition dating to the Chinese, was the center of the anti-Japanese movement. The Japanese also established their own communities in agricultural areas such as the Yamato Colony in Livingston, California and Taishoku in Florin, California. The story of the Japanese experience in America is also the story of the development of the West Coast and the demand for labor.

The historical fact is that Chinese and Japanese did not have the option of becoming citizens by virtue of the Naturalization Act of 1790 which granted citizenship to all free white aliens.<sup>1</sup> Their alien status brought charges of unassimilability and was used as proof of their wish to remain distant and among their own people.

In reality, Asians were sought after for their labor throughout the British empire as well as in America.<sup>2</sup> Japanese were actively recruited to work in the sugar plantations of Hawaii. Robert W. Irwin, agent for the Hawaiian Board of Immigration selected laborers about 1,000 miles from Tokyo in order to select the most capable agricultural workers.<sup>3</sup> Thus, although there were poorer districts in Japan, the bulk of the immigrants hailed from only two districts: Sanyodo consisting of the prefectures of Hiroshima, Yamaguchi, Okayama supplied 41.6% of the total immigrants; and Saikaido consisting of Kumamoto, Fukuoka, Nagasaki, Oita, Saga, Kagoshima supplied 29.8% of the total immigrants.

Japanese could not rise above the occupations of railway construction, lumbering, and agricultural labor. The realization of a limited socio-economic mobility drove them to move out of the dependency of wage earning jobs. The two alternatives were independent farming and shop keeping. Thus, Ichihashi maintains that the fact of being discriminated against " . . . in American boarding houses, restaurants, barber shops, places of amusement, etc., 'necessitated' . . . the creation of these facilities for themselves."<sup>4</sup>

The first job entered into by the Japanese was domestic service. Many served as "school boys" working as domestics to get through school. This service evolved into a permanent occupation for some Japanese immigrants as professional servants and temporary for others as day workers.<sup>5</sup>

Information on the characteristics of Japanese immigrants is sketchy and we can only take an educated guess. Ichihashi compiled Japanese government statistics on stated intended occupations upon applications for passports during the years 1886 to 1908, leaving for the U.S. He found merchants, 21.5%; artisans, 3.8% and officials, tourists, etc., 18.1%.<sup>6</sup> From 1908 to 1928 there



# Testimony

was a loss of 26,908 laborers, there was an increase of 21,114 women and children. The 1900 census showed 985 women, 4% of the Japanese population. The 1910 census for women jumped to 9,087 or 12.6% of the Japanese population. The 1920 census reflected 38,303 women or 34.5% of the population with 22,193 of whom were married. The 1930 census showed 53,659 women and 81,775 men.<sup>7</sup> The surge of immigration of women occurred just two years before the Gentlemen's Agreement of 1907. The average percentage of women from 1901 to 1904 was 6.8% which jumped to 17.7% in 1905, dipped to 13.6% in 1906, increased to 15.2% in 1907 and 17.7% in 1908.

Mass based anti-Oriental organizations finally were successful in pressuring the government to control Japanese immigration. As part of the Gentlemen's Agreement which required Japan to voluntarily restrict those travelers to America who were laborers, the President proclaimed that:

Japanese and Korean laborers, skilled or unskilled, who have passports to go to Mexico, Canada, or Hawaii and came from there be refused permission to enter the continental territory of the U.S.<sup>8</sup>

The use of Japanese laborers in labor intensive agriculture and construction was antedated by the use of Chinese laborers. Much of the anti-Japanese agitation had its organization in the anti-Chinese movement.

The colonization of antebellum Pacific coast dictated a nomadic, skilled, and cheap labor supply. Herbert Hill maintains that the Chinese presented the ideal work force, for no one need be responsible for them. They were not property, as slaves, and they could not become citizens, as European immigrants.<sup>9</sup> They were kept outside of American Society, brought over only to work on specific land development projects and then cast aside.

**A case in point is Hawaii.** Ruled by missionaries and mercenaries from America, Hawaii's land was converted to the sole production of sugar. Chinese and later Japanese, were procured to supplement the native population in planting, cultivating, and harvesting the sugar cane. The Chinese, having completed their contracts of three to five years, went into business for themselves. The Chinese, once independent, were seen as achieving a firm economic and social base of their own, challenging the premise of Hawaii being a "white man's country."<sup>10</sup> Once achieving this semi-autonomous position, the Chinese became a threat to planters as well as the local businessmen and craftsmen. The Hawaiian Ministry stated:

First the excessive proportion of Chinese in the kingdom and their rapid encroachment upon the various businesses and employments of the country, require adequate measures to prevent the speedy extinction in these Islands of Western civilization by that of the East, and the substitution of a Chinese for the Hawaiian and other foreign population. Second, the perpetuation of Anglo-Saxon civilization, introduced into these Islands and adopted by the Hawaiian people early in the present century, is essential to the continuance of a free government and the political independence of this Kingdom, and such civilization can be perpetuated only by retaining a population who have been educated therein and who comprehend the workings and benefits of popular representative government. Third, we believe that self-preservation, by nations as well as by individuals, is a principle universally recognized.<sup>11</sup>

The concern was not racial but over political and economic control of businesses, food, and supplies. Those merchants were understandably reluctant to give up the profitable food and supply trade to the Chinese.

The Cabinet decided:

(1) That no Chinese other than teachers and officials shall be allowed to come into this country except in the capacity of laborers; (2) That no Chinese be admitted as laborers unless the agricultural necessities require it; (3) That Chinese not now engaged in trade or the mechanical occupations be prohibited from hereafter engaging therein.<sup>12</sup>

The planters were successful in continu-

ing the admission of Chinese as laborers for five year terms. Those contract laborers who attempted to leave the plantation would be arrested and returned to China.

Hawaii, as California, was a critical arena for the colonial expansion of mainland United States. It was considered foolish and self-defeating to allow Chinese to labor on par with white men. Chinese were only to be in the low-wage occupations and not to be in the independent business fields.<sup>13</sup> The unwillingness of the Chinese to accept their servile status and dependent role shortened their usefulness, and they quickly became undesirable.

**The exploitation of Chinese in California** as cheap labor corresponded to the accumulation of wealth in a few hands. The Chinese were systematically denied rights and privileges of voting in a national election and of becoming a member of a union.

Early Chinese labor was used, chiefly, in two areas: The development of agriculture and the construction of the railroads. According to McWilliams, the two factors which affected the economic sector Asians participated in were land monopolization and the availability of large units of cheap labor.<sup>14</sup>

The Federal Swamp Land Act of Sept. 28, 1850, granted swampland to certain states. The main purpose given for the act was land reclamation. California was granted 2,192,506 acres, 500,000 of those acres being in the Sacramento-San Joaquin Delta.<sup>15</sup> In the 1860's, private corporations, such as the Tide Land Reclamation Company and the Glasgow-California Land and Reclamation Company, were permitted to purchase land for as low as one dollar an acre. Utilizing Chinese laborers who were paid one dollar a day, George D. Roberts of the Tide Land Reclamation stated that the value of the land increased up to fifteen times or \$100 an acre.<sup>16</sup> According to McWilliams, two-tenths of one percent of the population owned at least 50% of California's agricultural lands.<sup>17</sup> In 1871, 516 landowners controlled 8,685,439 acres in California.<sup>18</sup> As in Hawaii, farming was organized in large units in the cultivation of a single crop for maximum efficient exploitation of the labor and the land.

Without a doubt, the Central Pacific Railroad could not have gained a stranglehold on land and capital in California without Chinese labor. Sisson, Wallace, & Company recruited Chinese from China's open ports to work for the Central Pacific.<sup>9</sup> The Central Pacific sought and received federal subsidy through the Pacific Railroad Bill, 1862. The railroad received \$16,000 for every mile and \$48,000 through the Sierras. The Bill also conferred the Central Pacific alternate parcels of land, and 200 feet right of way on government lands.<sup>21</sup> According to McWilliams, the colonial distribution of land-ownership through manipulation of the Mexican land grants in California was concentrated even further during the American regime. One estimate credited the railroads with 20 million acres of California land in 1870.<sup>22</sup>

After completion of the railroads, the Chinese were used to convert land production from wheat to fruit. This partnership between government and business was a pattern which had developed during America's "China trade." American traders participated in the lucrative opium trade in the early 1800's and profited in the 1840's and 1850's by bringing Chinese to the United States.<sup>23</sup> With this commanding advantage, the Central Pacific vaulted into a dominating position in California, taking control of the Southern Pacific Railroad in 1870—and the California Steam Navigation Co. which controlled California's inland rivers.<sup>24</sup> The Central Pacific, then, expanded into the Asia trade with the establishment of the Occidental and Oriental Line in 1872, and the takeover of the Pacific Mail Company in 1880.<sup>25</sup>

The 1870s were typified by violent outbursts against the Chinese. They were scapegoats for the down turn in the economy. Organized labor worked with capitalists and industrialists by refusing to organize and protect Chinese on the basis of the inferiority of non-whites. In other words, by excluding Chinese from membership in

labor unions, the unions hoped to gain special considerations. The high wage jobs were reserved for whites, and the menial, low-wage jobs were given to Chinese, and later to the Japanese.

Organized agitation for the exclusion of Chinese from the U.S. was built on the myth of the Chinese menace. Aside from the racist arguments that the Chinese were diseased, sexually debased, servile, and morally corrupt, was the notion that the Chinese were unfair competitors, and were displacing white men of their jobs. Asians were not competing with Whites for the same job at low wages. Ping Chiu offers an alternative analysis to the one market theory. Chiu states:

But in fact, there were several labor markets co-existing in time and space. Each was relatively insulated from income and job competition of the others. The Chinese labor was concentrated in the low-price, low-wage fields, primarily in agriculture and import-competitive industries. The majority of the White workers were in the high-price, high-wage fields and in non-important competing industries.<sup>26</sup>

According to Chiu, the Chinese became a convenient scapegoat for the depression in the 1870s. When workers began to riot, small businessmen aligned with the property owners and farmers: Workers, having been isolated, "...conceded the primary of achieving an equality of opportunity among the in-group by denying it to the Chinese, the out-group."<sup>27</sup> In other words, anti-Chinese agitation crystalized and fixed on a definite, non-threatening target.

**Finally, in 1882, the Chinese Exclusion Act** was passed, ending for ten years, the immigration of Chinese laborers. The act gave Chinese the right to leave and return to the U.S., but only with an identifying certificate. An act passed in 1884 established the certificates as the only means to show the right to re-enter.<sup>28</sup> However, the acts of 1888 moved toward total exclusion of Chinese from America. The act of Sept. 13, 1888 prevented Chinese from returning to the U.S. unless they had: a wife, child or parent residing in the U.S.; needed to collect a debt; or owned property exceeding \$1,000.<sup>29</sup> Less than three weeks later, the Scott Act, Oct. 1, 1888, denied re-entry to Chinese who were outside of the country as of the passage of the act. At least 20,000 Chinese were denied re-entry. The U.S. had the right to prohibit Chinese immigration totally.

The Geary Act of May 5, 1892, extended restrictions on Chinese immigrants by requiring certificates of residence to be filed within the year, and had the burden of proof to show, with at least one white witness, that he was a legal resident of the U.S.<sup>30</sup> Those found to be illegal aliens could be sent to one year of hard labor and then be deported.

The Geary Act was upheld by the Supreme Court, in the case of Fong Yue Ting vs. U.S., 1893. Citing the unassimilable nature of the Chinese, the court asserted the inalienable right of the U.S. to deport whomever it chooses. Due process, it was decided, did not apply in this case as deportation is not punishment for a crime.<sup>31</sup> Chinese could be detained, indefinitely, on Angel Island by immigration officials without recourse to constitutional rights becomes subsumed under his rational and racial origins.

**The coming of the Japanese resurrected** the legacy of anti-Asian fervor generated against the Chinese. The 1900s marked a massive effort to renew the Chinese Exclusion Act, and to extend it to the Japanese. The American Federation of Labor, at its

national conference in San Francisco in Nov. 1904, resolved to back up local desires to extend the exclusion act to Japanese and Koreans.<sup>32</sup> Edward Allsworth Ross, sociologist, stated at a meeting of organized labor called to protest the immigration of Japanese: "We keep out pauper-made goods but let in the pauper."<sup>33</sup>

As with the movement against the Chinese, the anti-Japanese groups composed a wide cross-section of society, represented by such people as Mayor James D. Phelan, leader of the Union Labor Party, writer Jack London, Socialist, Governor Henry T. Gage, Republican, publisher William Randolph Hearst, publisher M.H. de Young, and Patrick Henry McCarthy, head of San Francisco's Building Trades Council and member of the Asiatic Exclusion League. The 1900s marked the beginning of organized agitation against Japanese, beginning with the move to renew and finalize exclusion of Chinese in 1902.

**The move to segregate 93 Japanese children** in San Francisco was to lead to an international incident without precedent in American education. Previously, there had been an attempt by the director of the San Francisco Board of Education to send 40 to 50 Japanese children to the Chinese school in 1893.<sup>34</sup> However, the Japanese consul, Chinda, protested the action as unjust and the president of the board ruled that the Japanese children could not be sent to a school designated for Chinese children. The state supreme court under Ward V. Flood, had already ruled in 1874, that separate but equal facilities were legal but if separate schools were not available, the non-white child could not be excluded. Mayor Eugene E. Schmitz, elected in 1902 in San Francisco, promised that "all Asiatics, both Chinese and Japanese, should be educated separately."<sup>35</sup> Whether Schmitz meant that the Chinese should be educated separately from white children or from each other is not clear.

However, this technicality was to be corrected. The year 1905 saw an organized movement to drive Japanese out of the state with the inflammatory articles of the Chronicle and the formation of the Anti-Asiatic Exclusion League in May, 1905. The Anti-Asiatic Exclusion League, 78,500 strong across the state, was an umbrella organization composed largely of labor groups whose charter's main goal was the extension of the Chinese Exclusion Act to include Japanese. In fact, the previous year, on November, 1904, the American Federation of Labor at its conference in San Francisco resolved to back up local desires deciding that the Chinese Exclusion Act should be expanded to include Japanese and Koreans as well as Chinese.<sup>36</sup> On May 6, 1905, the Board of Education passed the resolution:

That the board of education is determined in its efforts to effect the establishment of separate schools for Chinese and Japanese pupils, not only for the purpose of relieving the congestion at present prevailing in our schools, but also for the higher end that our children should not be placed in any position where their youthful impressions may be affected by association with pupils of the Mongolian race.<sup>37</sup>

Implementation of this resolution did not take place until these fears and fantasies were forced in a desperate situation.

The San Francisco earthquake on April 18, 1906 followed by fires, strikes, and attacks on persons forced the issue.<sup>38</sup> On Oct. 3, 1906, The Cooks and Waiters' Union waged a boycott of the many Japanese restaurants around the city. Assaults on Japanese and their businesses were common during this period. Then, on influence attributed to the Union Labor Party and the Asiatic Exclusion League, the Board of Education, on Oct. 11, passed this resolution:

Resolved, that in accordance with Article X, section 1662, of the school law of California, principals are hereby directed to send all Chinese, Japanese, or Korean children to the Oriental Public School, situated on the south side of Clay street, between Powell and Mason streets, on and after Monday, Oct. 15, 1906.<sup>39</sup>



The Oriental School, having finally been established, became the focus of international diplomacy and the move to exclude Japanese from immigrating to the United States.

Japanese parents immediately protested and found that the complaints against their children were from some over-aged boys and men ranging in age from 16 to 24, who were sitting in the same classes with white children of seven to eight years old.<sup>40</sup> While this accusation was false, the Japanese parents pulled out the older children, the oldest being 20.

The resolution stood, however, and it took formal protests by the Japanese government to force President Theodore Roosevelt to intervene in what is normally local and state business. The federal government filed, on Jan. 17, 1907, a suit in the State Supreme Court and one in the Federal Court charging violation of the state educational code, since it was claimed that Japanese were not Mongolians, and violations of the

United States treaty of equal protection with Japan, since all California schools were bound by laws and treaties made by the federal government after benefiting from land grants. On Feb. 8, 1907, the Board of Education, accompanied by Mayor Schmitz, arrived in Washington, D.C. to meet with President Roosevelt and Secretary of State, Elihu Root. It was made clear to them that the Board's action was preventing exclusion of Japanese across the board. Root prepared an immigration bill with the complicity of the Japanese government to stop Japanese immigration from Hawaii, Mexico, and Canada. Congress passed the bill on Feb. 18, The Board of Education voided the resolution of Oct. 11 on March 13, and on March 14, the bill was executed by executive order.<sup>41</sup>

It is clear from examining the Japanese school segregation issue which led up to the Gentlemen's Agreement, that Japanese were at the mercy of the fears of organized groups, advocating strict control and isolation of the Japanese, and activating the stereotype of the Asiatic dating back to the Chinese whenever convenient.

The next six years were to see the drive against the Japanese escalate state-wide and across to neighboring states. In 1909, California again attempted to pass restrictive legislation against the Japanese in denying them the right of land ownership and of attending the same schools as the white children. President Roosevelt with the cooperation of Governor Gillett blocked the legislation. Nevada, Oregon, and Montana similarly followed suit, passing segregated school legislation, but were similarly blocked by influence of the federal government.<sup>42</sup> The nature of the gut level feeling among the people behind the anti-Japanese movement was expressed aptly by Grove Johnson, father of Hiram Johnson, in 1909, strangely reminiscent of Dennis Kearney 17 years previously. Johnson stated:

I know more about the Japanese than Governor Gillett and President Roosevelt put together. I am responsible to the mothers and fathers of Sacramento County who have their little daughters sitting side by side in the school rooms with matured Japs, with their base minds, their lascivious thoughts, multiplied by their race and strengthened by their mode of life... I have seen Japanese twenty-five years old sitting in the seats next to the pure maids of California... I shudder... to think of such a condition.<sup>43</sup>

These horrors, fantasy though they were, struck of reality to the large majority of whites who knew no better. The imagined fears became institutionalized in American life and although the mobilization of those fears was not successful in San Francisco against the Japanese in 1907 in the school segregation issue, those fears were successful against the Chinese in San Francisco, and against the Chinese and Japanese in other areas in extracting total social, economic, and political domination.

Sacramento County, as mentioned by Grove Johnson, is a case in point. The towns of Florin, Isleton, Walnut Grove, and Courtland in Sacramento County established segregated schools for both Chinese and Japanese, the earliest founded in 1908 in Walnut Grove and the last in 1923 in Florin.<sup>44</sup> Reginald Bell attributes the anti-Japanese fervor to the influence of V.S. McClatchy, publisher of the Sacramento Bee.<sup>45</sup> One resident of Florin echoed the theme of competition:

There were getting to be more Japs than white children in the school. It got so that my daughter went mostly with Japanese girls. The principal was letting Japs crowd our boys off the grammar school team just because they could play better baseball. The towns around us began to "razz" our kids because of that, and that created antagonism toward the Japs. You know we have a low grade of Jap here. Even in their own country they are looked down on as a class. They haven't got much ability. Well, we couldn't stand for it any longer, so we separated our schools. Why did we separate our schools? That's easy. Race prejudice. There's no other reason.<sup>46</sup>

People interested in education cited culture and language as handicaps in educating both Japanese and white children in the same classroom. In essence, people were stating that it was not fair to the white children to teach Japanese children at the same time, for the language handicaps of the Asian children would without doubt take away learning from the basic subjects in the earlier grades.<sup>47</sup>

In attempting to come to grips with the problem of accounting for segregation of Asian children in these four towns instead of others, I believe it has to do with the extension of the unfair competition theme used against the Chinese and Japanese in San Francisco.

The Japanese came to Florin as seasonal laborers but gradually worked their way in as cash or lease tenants growing strawberries. The development of the land through intensive irrigation and conversion from hay to productive berry crops increased the value of the land at the same time the market value of strawberries dropped. The expansion of Japanese farms left little opportunity for the white laborer as the white farmers quit growing the crop due to diminishing returns. Although there was no actual competition between White and Japanese farmers, the fact that the Japanese became dominant in the production and labor of strawberries is significant in the fact that the Immigration Commission stated in 1910 its feeling that white farmers and laborers were discouraged in migrating to Florin because of the Japanese control of the major crop.<sup>48</sup>

As the Chinese, the Japanese never displaced White labor or were competitive with Whites.<sup>49</sup> In 1909, a state commission surveyed 4,102 California farms which produced crops totaling \$28 million. The Japanese composed 30.0% of the labor. Of the 2,369 farms run by White farmers, Japanese made up 87.2% of the labor in berries, 66.3% in sugar beets, 57.3% in nursery products, 51.3% in grapes, 45.7% in vegetables, 38.1% in citrus fruits, 36.5% in deciduous fruits, 6.6% in hay and grain, and 8.7% in hops. The Japanese took a commanding role in a parti-

cular sector of agriculture which had grown more important and lucrative than at the time of Chinese employment, in those seasonal crops requiring intensive cultivation and harvesting. Japanese males were an ideal labor force for the farmer in that, as the Chinese, they were nomadic and were managed by Japanese bosses who furnished Japanese work gangs for a given industry at a fixed price under the contract system.<sup>50</sup>

The various jobs held by the Japanese show that they held those least desirable, the stoop labor jobs. Their occupational distribution ran all the way from 95% of the berry and vegetable pickers to only 8% of the teamsters and 4% of the fruit cutters. In contrast, Whites were concentrated in the occupation of fruit cutter, 95% teamsters, 92%; hop picker, 89%, and fruit packer, 75%.<sup>51</sup>

The shift of the Japanese from laborers to independent businessmen, landowners, and growers triggered an immediate reaction to contain Japanese from becoming a settled group with homes and family. In 1909, John D. MacKenzie stated that "... the moment this ambition (land ownership) is exercised, that moment the Japanese ceases to be an ideal laborer.<sup>52</sup> Efforts had been made as early as 1907 to pass restrictive bills on land ownership, but had been blocked by the federal government.<sup>53</sup>

The Japanese antagonized the agricultural industrialists and the farmers by leaving the ranks of farm labor. The Japanese no longer could be exploited easily as labor for large scale intensive farms. The fear among farmers was that Japanese laborers would block to work for Japanese farmers. In fact, many Japanese laborers did go to work for Japanese farmers at a better pay. More crucial, however, is the fact that the Japanese laborer has a greater opportunity to improve his status by working for Japanese employers than others. Thus, the 1910 Immigration Commission found:

In the first place, the members of this race do not like to work for wages, are ambitious, and desire to establish themselves as businessmen or as independent producers, as most of them were in their native land. This ambition to rise from the ranks of the wage earners has been one of the characteristics most strongly exhibited by the Japanese and must be emphasized in explaining their progress either in business or in independent farming. Moreover, as has been indicated, decided limitations have been placed upon the occupational advance of the Japanese. Unless employed by their countrymen few have been able to rise to occupations above that of common unskilled labor. This situation has cooperated, with the general ambition of the Japanese, to place a great premium upon independent farming or business.<sup>54</sup>

The Commission also found that the Japanese when employed did not displace Whites, but in fact filled positions when those before them left for more lucrative employment. Thus, the move of the Japanese to farms of their own through purchasing and leasing of land decreased the availability of migrant labor.

Ichihashi reports that in 1909 a state investigation found in a survey of 1,733 Japanese farms that: 132 farms with a total acreage of 3,876 were owned; 1,170 farms with a total acreage of 46,480 were cash leased; and 431 farms with 33,028 acres were shore leased.<sup>55</sup> Under cash leasing, the Japanese tenant paid a cash rent to the owner who retained control over management and sale of the crop. In shore leasing, the owner and tenant shared profits and losses. These farms produced crops valued at six million dollars. Thus, while the Japanese moved from agricultural laborers to farmers, the land tenure system severely limited their freedom.

The move into farms meant the establishment of families. The American-born children, or Nisei, numbered 4,502 or 6.2% in 1910 and 29,672 or 26.7% in 1920. The children of the Issei broached the sensitive topic of citizenship, for the Nisei became American citizens by birth while their parents remained aliens.

During this period, agitation against Japanese incursion into land led to measures to control them. California finally passed the Alien Land Act of 1913. The Act's proclaimed purpose was the denial of status and livelihood to Japanese on the basis of race. According to the California Attorney General, Ulysses S. Webb, author of the act:

The fundamental basis of all legislation upon this subject, State and Federal, has been, and is, race undesirability... It (the law) seeks to limit their presence by curtailing their privileges which they may enjoy here: for they will not come in large numbers and long abide with us if they may not acquire land. And it seeks to limit the numbers who will come by limiting the opportunities for their activity here when they arrive.<sup>56</sup>

The law stipulated that aliens ineligible to citizenship could not hold leases for more than three years, and gave the state the power to liquidate the land if the heir fell under the stipulated conditions, aliens ineligible to citizenship. Thus, the goal of the act was to eliminate Japanese from the landholding class and thereby prevent them from accumulating capital and political influence. Race, therefore, is not the issue. Rather, the issue was over the control of a particular economic sector of California agriculture, truck farming.

The Issei maneuvered around the Alien Land Act by taking out the deed in the name of the children who were citizens. It is not clear whether in fact the Issei farmer sought a picture bride in order to step around the law. Opportunities to marry white women were blocked in 1922, with the passage of the Cable Act which took away the citizenship of white women and Asian women born in the United States if they married aliens ineligible to citizenship. Two years later, Japanese were excluded from immigrating to the United States on the basis of their alien status.

THE 1920s marked the success of yet another effort to exclude Asians in America, an effort which had been almost continuous for at least 70 years previously. Anti-Japanese forces seemed primed for the kill in this decade, for the House Committee on Immigration and Naturalization held hearings on the Pacific coast in July and August of 1920. Shortly thereafter, the towns of Isleton and Courtland passed bonds to establish separate schools for Japanese children. In 1921, it finally became legal to exclude Japanese children from California public schools when section 1662 of the School Code was amended to include Japanese children. That same year, Washington State passed a restrictive land law forbidding sale or leasing of land to Japanese. California had already passed such a law in 1913. Two years later, Oregon and Idaho followed with similar land laws.<sup>57</sup>

The next year, the work of 22 years of agitation to exclude Japanese was achieved when Congress passed the Immigration Act of 1924. Although the act excluded aliens ineligible for citizenship and did not specifically name Japanese, it was clear that the intent of the law was to exclude and limit the population of Japanese in the United States.<sup>58</sup> Having achieved absolute domination and control of Chinese and Japanese in all facets of life, the schools ceased to be an issue. The damage done, the School Code of 1929 repealed the discriminatory codes, allowing children of all races into the schools.

The repealing of the 1929 School Code, however, did not deal with de facto segregation as the school districts of Sacramento, San Francisco, and Oakland were prime examples. Also, the school code did not even address itself to the misconceptions and



# Testimony

stereotypes associated with Asians. Walter Lippmann, one of the all-time image builders in America, and a master in the use of stereotypes, had this to say of stereotypes: "In the confusion of the outer world, we pick out what our culture has already defined for us, and we tend to perceive that which we have picked out in the form stereotyped for us by our culture."<sup>59</sup> With the mold of the ideal student already cast as obsequious and docile, it would not be long before Americans made the transference to Asian children, whose parents were already seen as hardworking, innocuous, and rendered impotent.

The Japanese children, in fact, were the objects of intensive study done by researchers from Stanford University in the 1920s and 1930s to compare intelligence tests scores between whites and Japanese and class performance.<sup>60</sup> Disturbing was the fact that Japanese children were doing well, about on par with white children. Darsie found teacher's perceptions of Japanese children to vary tremendously from that of white children. According to Darsie, teachers perceived Japanese children to be "less self-confident, freer from vanity and more sensitive to approval than is the case of American children."<sup>61</sup> Darsie points to Japanese culture, emphasizing courtesy and deference, as a factor. Teachers also saw Japanese children as having superior permanence of moods, great appreciation of beauty, inferior intellectual traits and language ability.<sup>62</sup> These inscrutable, garden lovers, good in handwork, stupid, inarticulate and unable to sound out English.

Even Reginald Bell qualifies his findings on the achievement of Japanese Americans in the schools, identifying other factors such that: "liking for hard work, interest in school subjects, persistence, docility, and likability, all seem to affect teachers; marks greatly."<sup>63</sup>

As we have seen from the history of Asians in America, Chinese and Japanese have been categorized and defined according to certain ideas associated with their race preceding their arrival and contact with others in America, and these ideas have poisoned relationships between Asians and others in America. Teachers, being no different than the general public, were and are no more free of these prejudices and stereotypes than anyone else.

During the 1930s, social scientists began to study the Nisei. The children of the Issei became objects of intensive study by social scientists at Stanford.<sup>64</sup> Edward Strong wrote three books emphasizing the "Japanese problem" which referred to the disparity between educational attainment and commensurate occupational opportunity.<sup>65</sup>

The Nisei were of special interest because here was a group who were highly educated and trained. It was believed that they posed a problem of social control in that, unlike their parents, the Nisei were versed in the American culture, language, and customs. Robert E. Park was concerned with the preservation of the social order on the West Coast which he felt was threatened by Japanese competition. Park stated:

... the Japanese are more aggressive, more disposed to test the sincerity of the statement of the Declaration of Independence which declares that all men are equally entitled to "life, liberty, and the pursuit of happiness"—a statement, by the way, which is merely a forensic assertion of the laissez-faire doctrine of free and unrestricted competition as applied to the relations of individual men. The Japanese... would be all right in their place... That place, if they find it, will be one in which they do not greatly intensify and so embitter the struggle for existence of the white man. The difficulty is that the Japanese is still less disposed than the Negro or the Chinese to submit to the regulations of a caste system and to stay in his place.<sup>66</sup>

Nisei, American-born, numbered 29,672 in 1920 and 68,357 in 1930. Some Nisei who were born from 1910 to 1927 were sent to Japan to be reared by their grandparents. These Nisei were called Kibei, and constituted about 20% of the Nisei population. They acquired Japanese education, language, and culture. It was likely that both parents worked, such that the practice of sending children to Japan was as much a matter of convenience and the consideration of raising children in an anti-Japanese society and segregated school system, as obtaining a Japanese education. This practice virtually stopped during and after the Depression, for a survey taken in 1943 showed only 2% of those 15 years and under had been to Japan for more than a year.<sup>67</sup> Ninety-three percent of the same group had never been to Japan.

When the Japanese were discussed as to their potential threat in 1942, the distinctions between Issei, Nisei, and Kibei took on an important meaning. The Attorney General for California, Earl Warren, stated:

... The consensus of opinion among the law enforcement officials of this state is that there is more potential danger among the group of Japanese who are born in this country than from the alien Japanese who were born in Japan... I believe we are just being lulled into a false sense of security and that the only reason we haven't had a disaster in California is because it has been timed for a different date...<sup>68</sup>

General John L. De Witt, head of the Western Defense Command echoed both Park and Warren. De Witt believed that:

The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of U.S. citizenship, have become "Americanized," the racial strains are undiluted.<sup>69</sup>

As during the agitation for the 1913 Alien Land Act, the race issue involved with Japanese interest in truck farming crops. The Farm Security Administration, given authority to liquidate Japanese farms, listed 7,076 farmers and 6,664 leased owned farms. The 258,000 acres in Military Zone No. 1 up for liquidation was valued at \$73 million dollars. The function of the Farm Security Administration was to see that farms which had been run by Japanese be kept in production. The head of the agency, Laurence Hewes, offered Japanese land to the shipper-growers for literally nothing. Hewes stated:

Our problems were manifold and complex: we needed time to plan. For we soon found that few Japanese farms met Caucasian concepts; many were small, with odd-shaped fields, and, contrary to popular belief, the soil was often poor... I called a meeting of packers and processors of these commodities; my message to them was: "If you people need these products then you should form industry-wide corporations to take over the farms of your Japanese suppliers. We'll furnish the financing."<sup>70</sup>

Total losses were estimated at \$400 million, in property, lost crops, and wages. That area of the agricultural economy that the Japanese were involved in became very lucrative, for over 1,100,000 people migrated to California seeking jobs in defense related work, thus increasing the demand for food-stuffs.<sup>71</sup>

Once the decision was made to intern the Japanese, social scientists were called upon to assist in the administration of the ten concentration camps.

There were four different groups. One group headed by Dr. Alexander Leighton formed the Sociological Research Bureau at the concentration camp in Poston, Arizona which was initially administered by the Bureau of Indian Affairs. Leighton saw three important goals of the project:

First, it was to provide the Center Administration with facts and suggestions on current problems appertaining to the attitudes and sentiments of the people. Second, it was to gain experience and compile data that might be of use in the governing of occupied areas. Third, it was to train a research staff that would be capable of working in occupied areas and providing the governing body there with the same kind of service it gave the Center Administration.<sup>72</sup>

Thus, the Japanese were seen as subjects and the camp was seen as an experiment in the governing of men.<sup>74</sup>

Later, Conrad Arensberg arrived to give lectures of his experiences derived from his research of Western Electric Co. in order to show the relevance of applying social science to administrative tasks. As he explained: "In these lectures I described the best and most complete recent examples of anthropological and sociological research in industrial and governmental work and adapted their conclusions and their methods to the situation at Poston."<sup>74</sup> Edward Spicer was the anthropologist assigned to the bureau.

An influential study was done under the leadership of Dorothy Swaine Thomas. Called the Japanese American Evacuation program split Japanese into confused factions. They were asked to forswear allegiance to a foreign power and then to agree to participating in the armed services. The task of the community analyst became:

(1) determine why the registration program had so much difficulty; (2) determine the reasons for the insecurity of the Nisei to being relocated outside of the camp; (3) active participation in the planning of ways and means of carrying out the unpleasant task of segregation in such a way as to avoid crisis at the centers.<sup>75</sup>

Those who answered "no" to both questions during registration were segregated in the Tule Lake camp. Hearings were held to determine their loyalties and a program was developed by the Justice Department whereby the Nisei could renounce their citizenship. The Department of Justice supported the Denationalization Bill of 1944 because of:

(1) the belief that continued detention in camps of American citizens not charged with crime would be declared unconstitutional; (2) the fear that... the "militantly disloyal" would be forthwith released, contrary to the real and demonstrable interests of national safety; (3) the hope that the Bill "would induce the members of the group to renounce their citizenship if given an opportunity to do so" and thus "permit the detention of that group which clearly had to be detained."<sup>76</sup>

Thus, the tragic consequences of this assumption of disloyalty among the Japanese led to 5,766 Nisei and Kibei renouncing their citizenship. The bill gave justification for the removal of "disloyals" under the Alien Enemy Act of 1798. But more importantly, the work of the social scientists gave justification to imprisoning Japanese in camps for if they could not point to acts of treason they could point out "disloyals."

In order to understand the status of Japanese American today, I have made an effort to trace the historical forces which have impinged upon the Japanese existence. I have attempted to show that contrary to the sojourner thesis, the Japanese were not free to come and go as they pleased. Their aspirations were directed into a particular economic sector according to the needs of the dominant society. As we have seen, racist legislation was an expression of social control aimed at preserving the economic status quo.

After the war, the level of existence for Asians became distinctly better. In 1943, because of the alliance of the United States with China, for the first time, restrictions were removed against Chinese who could then become naturalized. Likewise, governmental officials realized the war was at an end and plans were made to place

Japanese in jobs or in colleges, preferably back East. In 1952, the Issei, first generation Japanese, could finally become naturalized citizens.

The concentration camp experience crushed the economic base the Issei had developed in truck farming. In fact, the Alien land laws had initiated the shift of Japanese from rural to urban. In 1920, 51.2% or 36,976 Japanese lived in the rural as compared to 48.8% or 35,181 Japanese in urban areas. In 1920, the pattern was the same: 51.5% or 57,180 Japanese were rural as compared to 48.5% Japanese who were urban. However, in the 1920s, comprehensive land laws were passed, preventing the Issei's from buying land in their children's name. The 1930s showed the effect of these restrictions: 46.2% or 64,159 Japanese lived in rural areas whereas 53.8% or 74,675 Japanese lived in urban areas. The 1940s showed only a slight drop: 45.2% or 57,274 Japanese rural to 54.8% or 69,673 Japanese urban. The 1950s reflected the effect of the concentration camps in dispersing Japanese across the country. There were 41,033 or 28.9% Japanese in the rural areas as compared with 100,735 or 71.1% of the Japanese in the urban areas.<sup>77</sup>

The 1950s was a time of rapid, fluid mobility and this was the case for the Nisei as for the general population.<sup>78</sup> The Cold War with its emphasis upon science and technology opened occupations formally closed to them.

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# Legal Remedies

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## INTRODUCTION

ON July 31, 1980, Public Law 96-317 was enacted into law. This statute creates the "Commission on Wartime Relocation and Internment of Civilians". The task of this nine-member body is to: (1) review the facts and circumstances surrounding the evacuation and internment of 120,000 Japanese Americans during World War II; (2) ascertain its impact on the evacuees; and (3) "recommend appropriate remedies."

The purpose of this analysis is to address the most important and controversial aspect of the Commission's task—the question of "appropriate remedies"—from the perspective of the Japanese American Citizens League (JACL).<sup>2</sup>

(Of course, this paper includes proper citations of the cases from the law books but, for sake of brevity, they have been removed—Editor)

## The Commission's Duty

### Title Misleading

The official title to Public Law 96-317 is misleading. It states:

"AN ACT

To establish a Commission to gather facts determine whether any wrong was committed against those American citizens and permanent resident aliens affected by Executive Order Number 9066, and for other purposes." (emphasis added)

The title suggests that the Commission's central task is to determine "whether any wrong was committed." This is *not* true. No comparable language can be found in the text of Public Law 96-317. To the contrary, the Act's language presumes that a wrong was done. It defines the Commission's duty in section 4(a), to (1) "review the facts and circumstances surrounding Executive Order Numbered 9066 . . . and the impact . . . on American citizens and permanent resident aliens . . ." and (2) to "recommend appropriate remedies." Thus, the Commission's duty to recommend "appropriate remedies" is not conditioned on any required finding of a "wrong".

It is well settled that a heading employed in the original form of a statute cannot change the clear meaning of the statutory language (*Osborn v United States* 1963). A Statute is not restricted by its title. (*United States v. Yoshida Intern, Inc.*, 1975)

Thus, the Act's title is misleading to the extent that it appears to shift the Commission's focus away from its primary duty which is to investigate the *intent* of the wrong and to recommend "appropriate remedies."

### 'Evidence of Mistreatment'

The foregoing interpretation of Public Law 96-317 is reflected in House Report No. 96-1146. This report describes the hearing held on June 2, 1980, as follows:

"These witnesses presented a compelling use for the creation of this Commission to study the relocation and internment of Japanese Americans and citizens of the Aleutian and Pribilof Islands during World War II. The committee heard of cases in which Americans of Japanese descent were stripped of their worldly possessions and forced to relocate in internment camps, often many miles from their homes and on very short notice. The testimony revealed that this deprivation of liberty and the taking of property from these Japanese Americans took place without any finding of wrongdoing by these people.

The committee determined that there was substantial evidence of mistreatment of persons of Japanese descent during World War II. Further, the committee found that no significant study has been done by the Government to determine the extent of any civil rights violations and to what extent such occurrences can be prevented in the future. Therefore, the committee felt that a commission should be established as provided in this act to study this internment policy and to make recommendations regarding any possible remedies that may be appropriate."

The committee, after hearing the testimony, "determined that there was substantial evidence of mistreatment of persons of Japanese descent . . ." It found that no government study had ever determined "the extent of any civil rights violations." It therefore felt that a Commission should be formed to investigate this matter and " . . . to make recommendations regarding any possible remedies that may be appropriate."

The House Report, therefore, was based on its determination that Japanese Americans were subject to "mistreatment" during World War II. It was bottomed on a finding of wrongdoing.

### 'Blackest Chapter'

A review of the Congressional debates reveals that all speakers—whether for or against the bill—agreed that a wrong had been committed against Japanese Americans during World War II.

Sen. Daniel K. Inouye described the evacuation " . . . as the blackest chapter in our American history . . . in which due process and equal protection of the law . . . was denied for up to 4½ years for some citizens."

Sen. Charles Mathias Jr. stated that the bill's purpose was "to right the wrongs that were done."

Sen. Spark M. Matsunaga characterized the evacuation "as one of the blackest pages in American history" and "remains the single most traumatic and disturbing event in the lives of many Nisei."

Sen. S.I. Hayakawa stated that "this review is long overdue."

Rep. George Danielson described the Commission as " . . . a necessary step toward redressing the grievances of many American citizens who were treated so unfairly by our Government during World War II."

Rep. Carlos J. Moorhead stated that the bill was " . . . an attempt by the Congress to provide a national focus on the wrongs done to Japanese Americans . . ."

Rep. Jim Wright, majority leader, described the evacuation as " . . . one of those outrageously wrong things that we do in moments of great national stress and which we later regret."

Rep. Robert McClory characterized the event "as an egregious denial of their basic civil rights."

Rep. Norman Mineta called the evacuation a "tragic abuse of civil and constitutional rights."

Even Rep. Robert Bauman, an opponent of the bill, conceded that "President Roosevelt's action was one of the greatest denials of civil liberties to ever occur in peacetime or wartime in our history."

The foregoing excerpts reveal that Congress was unanimous in its view that a wrong had been committed during World War II.

### Presidential Statement

On July 31, 1980, President Carter signed Public Law 96-317 into law. At the signing ceremony, the President said:

"And it's with a great deal of pleasure that I sign this legislation into law. Commission study will be adequately funded. It's not designed as a witch hunt. It's designed to expose clearly what has happened in a period of war in our Nation when many loyal American citizens of Japanese descent were embarrassed during that crucial time in our Nation's history. I don't believe anyone would doubt that injustices were done, and I don't think anyone would doubt that it is advisable now for us to have a clear understanding as Americans of this episode in the history of our country.

Now I'll sign the legislation into law."

Even the President acknowledged that "I don't believe anyone would doubt that injustices were done."

### 'Review, Recommend Remedies'

Thus, despite the misleading title of Public Law 96-317, the House Report, Congressional debates, and Presidential statement make it unmistakably clear that the passage of the Act was based on the common understanding that a wrong had been committed. The operative language of the Act reflects this understanding when it commands the Commission to "review" the evacuation and its "impact" on persons and "recommend appropriate remedies."

In considering "appropriate remedies", we must focus our attention in three distinct areas: (1) remedies for injury suffered by individuals; (2) remedies for injuries suffered by the affected communities; and (3) remedies for injuries suffered by the nation as a whole.

## Monetary Payments

### Individual Remedies

The evacuation and internment happened to individual human beings. They lost their property, homes, savings, health, freedom, and dignity as human beings. Individuals suffered the humiliation, trauma, and emotional distress of evacuation and internment and scorn of a wartime populous that branded them "the enemy", "disloyal", and "traitors". It was individuals—men, women and children—who experienced the pain, discomfort, and inadequate housing conditions of life behind barbed wire.

It is imperative, therefore, that the Commission provide an individual remedy to each person who suffered injustices by official actions of the United States during World War II as a result of the issuance of Presidential Executive Order Number 9066 and other associated actions of the government.

### Substitutionary Relief

After injury has occurred, no remedy can ever fully restore the victim to his or her previous condition. This truism is as old as "Humpty Dumpty". However, the law of remedies has never let its inability to achieve perfection hinder its quest to provide a remedy insofar as it is possible to do so. Traditionally, the payment of monetary damages to the injured party is regarded as the most equitable and fair way of providing a substitute remedy both in the "Humpty Dumpty" situation and where the injury is essentially non-pecuniary.

Professor Dan B. Dobbs, in his textbook "Handbook on the Law of Remedies, Damages—Equity—Restitution", describes this as follows:

"One who suffers a legally recognized injury is usually entitled to an award of damages. This is a money award . . ." "The damages award is substitutionary relief, that is it gives the plaintiff money mainly by way of compensation, to make up for some loss that was not, originally, a money loss, but one that ordinarily may be measured in money. For example, if the defendant damages the plaintiff's property, the damages remedy does not give the plaintiff back his property in its original condition, but does give him a money substitute. Or, if the defendant refuses to perform a contract with the plaintiff, the damages award does not give the plaintiff the performance to which he is entitled, but does attempt to furnish a money substitute . . ."

"Damages are also awarded in a variety of cases in which the injury is essentially non-pecuniary. This is true with many of the dignitary interests that receive protection either separately, or parasitically to some other, more economic interest. For instance, the plaintiff against whom a harmful battery has been perpetrated, may be entitled to recover for mental anguish as well, parasitic to the recovery for the battery. And, as separate torts, there are claims for intentionally inflicted emotional harm, for assaults without touching, false imprisonment or malicious prosecution, slander, seduction of the plaintiff's spouse, and the like, even where no prosecution, slander, seduction of the plaintiff's spouse, and the like, even where no pecuniary harm is done. Under statutes there are sometimes damages recoveries for invasions of civil rights on the same basis."

" . . . the main purpose of the damages award is some rough kind of compensation for the plaintiff's loss . . ." (Emphasis added)

No form of relief can ever erase the suffering and trauma of evacuation and internment. However, it is clear that monetary payments to all individuals who suffered as a result of Executive Order 9066 is without a doubt, the most traditional and time honored form of substitutionary relief that our system of justice has been able to devise to provide compensation to victims of wrongful conduct. It is the obvious remedy here.

### Special and General Damages

**A Definition.** Traditional legal analysis divides compensatory damages into two categories: general and special. This distinction is defined as follows in 22 Am. Jur. 2d, Damages, 15; at pages 31 and 32:

"Compensatory damages are classified as either "general" or "special." General damages are those which are the natural and necessary results of the wrongful act or omission asserted as the foundation of liability, and include those which follow as a conclusion of law from the statement of the facts of the injury. In other words, general damages are those which are traceable to, and the probable and necessary result of, the injury, or which are presumed by, or implied in, law to have resulted therefrom . . ."

"The term "special damages" denotes such damages as arise from the special circumstances of the case, which, if properly pleaded, may be added to the general damages which the law presumes or implies from the mere invasion of the plaintiff's rights. Special damages are the natural, but not the necessary, result of an injury. In other words, special damages actually, but not necessarily, result from the injury, and thus, are not implied by law . . ."

Since individual monetary payments are basically compensatory in nature (i.e. an attempt to make the victim "whole" again), the distinction between "general" and "special" damages is useful here.



# Shimomura

**General Damages—Humiliation, Emotional Distress, Etc.** What "general damages" are "... the natural and necessary result of the wrongful act ..." of evacuation and internment?

**Common Law Tort.** A study of the traditional tort law of false arrest and imprisonment reveals that a wrongfully incarcerated or detained person is entitled to "general damages" for: (1) shame and humiliation (Davis v. Nadell, 1954; Gibson's Products Co. of Albany, Inc. v. Mansfield 1973; (2) mental and emotional distress (Browning v. Ray 1968; Savage v. Bois, 1954; (3) nervousness (Skillern & Sons, Inc. v. Stewart, 1964; (4) reputation loss (Utley v. City of Independence, 1965; City Stores Co. v. Gibson, 1970; and (5) injury to peace and happiness Sharp v. Frost, 1956. The foregoing are presumed to flow from and are the natural result of false arrest and incarceration itself and hence are recoverable as "general damages" without necessity of specific proof.

**Constitutional Torts.** Recent developments in the area of "constitutional torts" reveal that the courts rely heavily on traditional tort principles, including the concepts of general and specific damages, in fashioning relief for violation of constitutional and civil rights. This trend commenced when the U.S. Supreme Court, in *Bivens v. Six Unknown Fed. Narcotics Agents*, 1971, recognized for the first time the right of persons to recover damages for violation of their constitutional rights.

In *Carey v. Phipus*, 1978, the U.S. Supreme Court reaffirmed the need to provide a damage remedy for constitutional violations:

"... the task will be the more difficult one of adapting common-law rules of damages to provide fair compensation for injuries caused by the deprivation of a constitutional right."

In cases involving unconstitutional arrest, incarceration, and seizures, however, the courts have found little difficulty in applying common law damage remedies. Professor Hammond, in his book "Civil Rights and Civil Liberties Litigation, A Guide to 1983", makes this point:

"Fourth and fourteenth Amendment violations are typically asserted against law enforcement officers in connection with arrests, imprisonment, searches and seizures and related use of force. Because these same circumstances also give rise to the common law torts of false arrest, false imprisonment, trespass, assault, and battery, courts generally do not have much difficulty in using the appropriate common law of damages. There is evidence of special damages (medical expenses, lost income etc.) in many such cases, but even where none is introduced, general damages for pain, suffering, humiliation and emotional distress are recoverable." (Emphasis added.)

This point is illustrated in the case of *Konczak v. Tyrell*, 1973, where a court affirmed an award of \$10,000 and \$2,500, respectively for a husband and wife who had been unconstitutionally arrested and detained by police. Significantly, the court rejected the argument that specific proof of "general damages" was required under *Carey v. Phipus*, 1978:

"The officers charge that under *Carey v. Phipus*, ... the Supreme Court requires that actual damages must be proven for every violation of a constitutional right. The defendants misread the case. In *Carey v. Phipus* the Supreme Court held that where a plaintiff has proven a denial of procedural due process without proving any actual injury, he may only recover nominal damages. ... The Court however, distinguished procedural constitutional violations from substantive ones such as those asserted by the plaintiffs here. ... In any event, we believe the plaintiffs presented sufficient evidence of actual

damages in this case. The jury could have properly found that the plaintiffs suffered a loss in earning of \$576 and other less quantifiable damages in the form of mental distress, humiliation, loss of reputation, and other general pain and suffering resulting from the arrest, detention, search and seizure, imprisonment, confinement to a mental institution, and prosecution of three criminal complaints. The compensatory awards were supported by the evidence." (Emphasis added)

In sum, a study of current damage law reveals that each victim of the wrongful evacuation and incarceration should be entitled to monetary compensation for "general damages" for the shame, mental distress, suffering, humiliation, nervousness, etc. inflicted during World War II. Moreover, each victim should be awarded "special damages" in addition to such "general damages."

**Special Damages—Unique Property and Other Pecuniary Losses.** What "special damages" are the natural, but not the necessary, result of the evacuation and internment, which can be added to general damages? The specific impact which the evacuation and internment had on the persons directly affected are probably as varied as the number of persons affected.

**Common Law of Tort.** A study of the traditional tort law of false arrest and imprisonment reveals that a wrongfully incarcerated or detained person is entitled to recover, as "special damages", probable economic losses proximately resulting from the wrongful act. This point is graphically illustrated in the 1956 case of *Hulett v. Brinson*, 1956. In affirming a \$20,000 judgment for a wrongfully arrested and jailed man, the Court summarized the "special" damages as follows:

"... In addition to the humiliation, disgrace and damage to reputation, appellee testified to the following special damages: "While working at the Brinson, Incorporated, store he was publicly arrested and placed in jail; as a result of being jailed, he was compelled to post a \$1,750 bond; due to the charges he had to pay appellee, as a direct result of the arrest, he lost his job and, being unemployed for two years, suffered a loss of money totalling \$12,960; after his arrest appellee lost another source of income, which he was receiving for operating a division of the Post Office Department, this loss in wage income being estimated at \$3,600 by appellee; the effect of his arrest was to scare his creditors and this resulted in destroying one of his stores as a source of income, which loss he approximates at \$22,000; finally, appellee had to move his family out of the community and he was forced to sell his house at a loss of \$7,500, with moving expenses in the amount of \$350." (Emphasis added)

Besides property and wage losses, cases indicate that medical expense caused by unlawful incarceration may be recoverable as well. *Pace v. Winn-Dixie Louisiana, Inc.* 1977; *Ulibarri v. Maestas*, 1964.

In sum, in addition to "general damages" for pain, suffering, and mental distress, each victim should be entitled, as "special damages" to his or her economic loss that was proximately caused by the evacuation and internment.

**Valuation of General Damages—A Question of Fact.** In *Wright v. Gilbert*, 1955, the Court upheld a \$25,000 jury verdict in a false imprisonment case. In response to an argument that the verdict was excessive, the Court said: "There is no fixed standard in such cases by which the Court may ascertain and

characterize excessive verdicts. The assessment of unliquidated [general] damages must rest in the sound discretion of the jury, controlled by the discretionary power of the trial Judge. There is no market value for injured feelings or wrongful invasion of one's rights of personal dignity; abusive treatment of any character is a matter in which reasonable men may differ. Human liberty is difficult of measurement in dollars and cents, and this Court is unwilling to say that the trial Judge abused his discretion in not setting aside the verdict on the ground that it was excessive and the result of passion and prejudice. See *Currie v. Davis* ... *Westbrook v. Hutchison*, supra." (Emphasis added)

Thus despite the difficulty of affixing a precise dollar amount to pain, suffering, humiliation, etc. inherent in wrongful incarceration, this question is left "in the sound discretion of the jury." In our situation, this discretion—at least initially—has been placed in the hands of the Commission, for recommendation to Congress.

**Amount.** In order to assist the Commission in making this concededly difficult determination, the following cases may prove to be instructive.

In *Bucher v. Krause*, 1952, police mistakenly arrested and injured a man who had just arrived in Chicago for his wedding. The man was awarded \$50,000 for the injury and \$50,000 for the false imprisonment which lasted less than a day.

In *Hoffner v. State*, 1955, a man was awarded damages after spending 12 years in prison for a crime he did not commit. The Court said:

The claimant has been humiliated, degraded, shamed and suffered a loss of reputation and earnings. For this he must be paid, and for this money damages can be compensatory. But all the wealth of the state of New York could not compensate the claimant for the mental anguish suffered through nearly twelve years of false imprisonment. ... (Emphasis added.)

Nevertheless, the man was awarded \$112,290, a significant sum in 1955.

In *Skillern & Sons, Inc. v. Stewart*, 1964, a woman was awarded \$110,000 for false imprisonment after being forcibly detained and relentlessly questioned and accused of stealing merchandise from a store. The detention resulted in emotional distress although it appears to have lasted only a few hours.

In *Quinn v. Rosenberg*, 1966, a woman received official authorization to inspect records in a doctor's office. The doctor, however, refused to permit the inspection and summoned police when the woman refused to leave the waiting room. The woman was arrested and briefly detained by police. The Court affirmed an award of \$10,000 for false imprisonment for the "humiliation or mental suffering sustained."

In *State v. Vargas*, 1967, a man recovered \$20,000 for damages for wrongful conviction and imprisonment. The Court said:

"The record discloses that appellee was imprisoned for about four years, of which approximately two years was in a State penitentiary, and that he was on "death row" two months and five days. On the day set for his execution, his head was shaved, he was served his "last meal," and was shown the coffin in which he was to be buried. He testified that he had a wife and two children at the time of his imprisonment, that he never got to see them, that he worried about them greatly, and that after the death cell experience it was hard for him to remember because of the mental anguish he had suffered. The trial court's finding that

Vargas suffered extreme physical and mental pain and suffering as a proximate result of his erroneous conviction and imprisonment, and that he sustained damages in the sum of \$20,000.00 is sufficiently supported by the record, and appellant's "no evidence" point is overruled" (Emphasis added.)

If anything, the \$20,000 award appears to be pitifully inadequate based on the above record.

In *S.S. Kresge Company v. Prescott*, 1968, a man received \$35,000 in damages for false imprisonment after being arrested and detained by police for two hours.

In *Rothschild v. Drake Hotel*, 1968, a woman received \$35,000 in damages for false imprisonment after spending three days in jail.

In *Joseph v. Jefferson Stores*, 1969, the Court of Appeal sustained a \$15,000 award for a woman who was accused of shoplifting by a store and wrongfully detained for two and one-half hours with her two small children.

In *Thomas v. E.J. Korvett, Inc.*, 1971, a security manager for a store was himself falsely arrested and briefly detained for a purported theft from his place of employment. Although the court reduced the \$250,000 damage award to \$100,000, the Court described the "general damages" suffered as follows:

"Obviously, plaintiff did sustain substantial general damages for such intangibles as injury to feelings, humiliation, embarrassment, damage to reputation, etc. His life has been substantially changed as a result of the arrest. Exclusion from his chosen field of endeavor, which he very much enjoyed and in which he was quite successful, is an element of damage of considerable magnitude, even though incapable of precise measurement." (Emphasis added.)

In *Globe Shopping City v. Williams*, 1976, the Court affirmed a \$35,000 judgment for false imprisonment based on the following facts:

"... Williams was turned over to a Houston police officer on the complaint of a store detective that Williams had assisted the others in shoplifting. After being led through the store, apparently handcuffed, Williams was taken to the Houston city jail, booked, fingerprinted, photographed and held for five or six hours before being released. The jury found that Williams had been damaged and compensated him for his physical pain, mental suffering, shame, humiliation and fright, and loss of earnings in the past, in the amount of \$35,000." (Emphasis added.)

In *Guion v. Associated Dry Goods Corp.*, etc. 1977, the Court affirmed a \$10,000 false imprisonment award as follows:

"Plaintiff was acquitted, after a jury trial, of a petty larceny charge following her arrest by two security officers of Lord & Taylor, a well known New York department store. She had been accused of stealing a pair of sunglasses. Taken to a police station by the City police, she was booked, fingerprinted and released for a later court appearance. She was detained a total of approximately three hours.

Plaintiff is entitled to be compensated for defendants' wrongful acts and considering that the elements of damage include mental suffering such as indignity, humiliation, shame and disgrace and loss of earnings, we feel that the award of \$10,000 is not unreasonable and we therefore affirm. ... (Emphasis added.)

The foregoing cases reveal that despite the difficulty of the determination, juries have not been hesitant to award substantial "general damages" awards for humiliation, mental distress, suffering, etc. resulting from false and unconstitutional incarceration or detainment. In many



instances, the incarceration lasted but minutes or hours. How much more compelling is the case for the victims of evacuation and internment during World War II who were incarcerated, in many instances, up to 3 to 4 years in primitive and hastily constructed concentration camps? See, *Acheson v. Murakami* 1949. In fact, the historical record is so compelling on the question of "general damages" for evacuation victims, that a finding of a token or nominal amount would be an abuse of discretion. *Hutto v. Washington County Kennel Club, Inc.*, 1971 the cost of appeal reversed a token award of \$1.00.

**Class Relief.** In *Anderson v. J.T. Robinson*, 1974, the police chief of Natchez, Miss. was found liable for the false imprisonment of 157 racial protest demonstrators which occurred in 1965. In fashioning a remedy, the jury returned a verdict assessing "general damages" of all plaintiffs at a uniform rate of five dollars per day. Although the daily rate appears unusually low, this case illustrates the fact that "general damages" can be calculated on a class basis and need not be done on an individualized basis.

Moreover, in *Dellums v. Powell*, 1977, damages were awarded to approximately 2,000 persons who were unconstitutionally arrested and detained by police during an anti-war rally on the steps of the U.S. Capitol. In that case, not all plaintiffs were detained for precisely the same length of time. The court affirmed the following award for false arrest and false imprisonment:

(1) for 12 hours or less of detention, \$120; (2) for 12 to 24 hours of detention, \$360; (3) for 24 to 48 hours of detention, \$960; (4) for 48 to 72 hours of detention, \$1,800.

*Dellums v. Powell*, supra, shows that "general damages" can be calculated on a sliding scale for class members based on the time incarcerated. It is also instructive on the question of the amount of damages that would be appropriate remedy.

**Taxibility.** The Internal Revenue Code provides that:

"... gross income does not include—(2) the amount of any damages received (whether by suit or agreement) on account of personal injuries or sickness; ..." (Emphasis added.)

It is well settled that damages paid for personal injuries are excluded from gross income because they make the taxpayer whole from a previous loss of personal rights—because, in effect, they restore a loss to capital. *Landers v. United States*, 1962.

Monetary payments for "general damages", therefore, should be made non-taxable in accordance with the Internal Revenue Code.

**Summary.** The valuation of the pain, suffering, humiliation, etc. suffered by the victims of evacuation and internment is a question of fact. The Commission has been delegated the authority to make an initial determination as to the amount of "general damages" involved. Published court cases indicated that substantial awards have been sustained when—as in our case—the length of incarceration has been long and the circumstances egregious. Moreover, relief has been provided to large classes of individuals on a uniform scale based on length of incarceration. Such awards have been non-taxable and should be made non-taxable by the Commission.

### Unique Property and Other Pecuniary Losses

**A Question of Fact.** As indicated previously, in addition to "general damages" (ie, humiliation, mental distress, etc.) a victim of false imprisonment is entitled to recover—according to proof—"special damages" consisting of unique property and other pecuniary losses proximately caused by the wrongful evacuation. "Special damages" may include property losses, lost wages and profits, medical expenses, etc. and valuation is a question of fact for the jury. *Hulett v. Brinson* 1956; *Pace v. Winn-Dixie Louisiana, Inc.*, 1977.

**Failure of Evacuation Claims Act.** On July 2, 1948, Congress enacted a statute "... to authorize the Attorney General to adjudicate certain claims resulting from evacuation..." Such claims could include "... damage to or loss of real or personal property... that is a reasonable and natural consequence of the evacuation."

However, the Act contained significant limitations. It excluded, among other things, compensation:

"(4) for damage or loss on account of death or personal injury, personal inconvenience, physical hardship, or mental suffering; and

"(5) for loss of anticipated profits or loss of anticipated earnings."

Thus, it denied all relief for "general damages", and limited "special damages" to loss of real or personal property excluding loss of profits, wages, and other forms of personal injury. Moreover, the Attorney General could only approve claims up to \$2,500.

The foregoing limitations, coupled with the unrealistic proof requirements for persons who were ordered to leave in many instances on a few days notice, created a wholly inadequate compensation scheme. As Frank Chuman states in "The Bamboo People: The Law and Japanese Americans":

"in the end, a total of \$38 million was paid by the federal government to the evacuees under the Evacuation Claims Act, which was less than ten cents for every dollar lost, based on the Federal Reserve Bank of San Francisco's 1942 estimate that property losses suffered by the Japanese totalled approximately \$400 million."

**Lump Sum Pool For Claims** The experience under the Evacuation Claims Act and the passage of nearly 40 years suggests that a case by case determination of "special damages" would prove to be an inadequate remedy for most victims because of the substantial problems of proof which would be required. On the other hand, there can be no doubt that a substantial economic loss resulted from the evacuation and internment which has never been compensated.

Accordingly, the Commission should conduct a full economic study of the magnitude of the "special damages" suffered by the entire class of evacuation victims. This study should result in a total dollar figure (measured in current dollars) of the economic loss. The Commission should recommend that Congress appropriate a lump sum based on such figure. Out of this lump sum, a procedure should be created to permit those with provable claims to recoup their losses. (Any previous award under the Evacuation Claims Act would be offset.) The remainder of the funds would be distributed evenly among the class victims and their heirs.

### An Appropriate Remedy

The Commission's task is to recommend "appropriate remedies." While the Act does not specify particular remedies, the House Committee on the Judiciary Report states that:

"... the Committee does feel that a payment plan should be one of the items considered by the Commission in determining its recommendations to Congress..." (Emphasis added.)

Moreover, during the Congressional debates, Rep. Sidney R. Yates rebutted the comment by Rep. Bauman that individual monetary payments might be inappropriate as follows:

"I have the feeling that if one of the constituents of the gentleman from Maryland (Mr. Bauman) were wrongfully incarcerated by a Federal marshal or by a Federal narcotics agent, if he were jailed and it were shown that he was wrongfully imprisoned, I am sure the gentleman from Maryland (Mr. Bauman) would be among the first to seek compensation for this wrong having been committed upon him."

Individual compensation is a basic remedy for a violation of constitutional rights. (*Bivens v. Six Unknown Fed. Narcotics Agents*, 1971) All victims of the evacuation and internment, therefore, should receive monetary compensation which should consist of two elements: "general damages", for the humiliation, pain, suffering, and mental distress suffered; and "special damages" for the unique property and other pecuniary loss proximately caused by the evacuation and internment. Anything less would not provide true redress.

## Community Remedies

### Community Impact

In addition to having a profound effect on individuals, the evacuation and internment had a devastating effect on Japanese American communities throughout the United States—particularly in the totally evacuated areas of the West Coast. Like delicate social organisms, such communities, before the war, had developed their own places of business, trade, schools, churches, clubs, and organizations. Many West Coast communities were totally destroyed with their inhabitants dispersed over the Nation. Chicago, Denver, St. Louis, and New York became major resettlement areas. After the war, many Japanese American communities were re-established in California, Oregon, and Washington. All were drastically changed and many permanently crippled. Thus, the communities of the evacuees were also victims of the evacuation and internment.

### Inventory of Community Needs

The pre-war days are gone forever and no useful purpose would be served in trying to restore a past that is dead. However, today—in 1981—many Japanese American communities are still struggling to meet the needs of its people. Many of the current problems confronting the communities are a direct result of or have been exacerbated by evacuation.

With regard to many of our elderly Issei and older Nisei, there is an urgent need for low cost housing, nutrition programs, convenient medical care, and other social services. This class—now largely in their 70s and 80s—were the individuals hardest hit by evacuation and the least successful in recovering from the economic catastrophe caused by it.

With regard to our Nisei population (now largely in their 50s and 60s) a whole host of health and psychological problems are now—many times for the first time—beginning to manifest themselves among some as they approach retirement. Many sociologists and doctors believe the evacuation experience has significantly exacerbated these problems.

With regard to our younger Sansei and Yonsei—the children of evacuees—there is a need for special educational and cultural programs to assist them in regaining their cultural heritage as Americans of Japanese ancestry. During World War II, virtually all Japanese language schools were closed. Few reopened after the War in the rush to become "Americanized" and assimilated. This cultural void has contributed—to a certain extent—to the identity crisis and ambivalence felt by many Sansei.

Therefore, the Commission—as a part of its fact finding function—should conduct a study of the present needs of the Japanese American community to ascertain the extent to which such needs are a lingering result, either in whole or part, from the wartime evacuation and internment.

### Community Remedies

After concluding such study, the Commission will likely find that many of the Japanese American community's problems are related to evacuation. To the extent this is so, the Commission should recommend that many forms of federal "in kind" assistance—both in terms of new programs or redirection of existing programs—would be an "appropriate remedy" for the Japanese American communities.

## National Remedies

### National Impact

The evacuation and internment of Japanese Americans during World War II was ordered by the President (Executive Order 9066), ratified by an act of Congress (56 Stat. 173), and approved by the United States Supreme Court (*Hirabayashi v. United States*, *Korematsu v. United States*). This action—which was sanctioned by all three branches of government—has been uniformly condemned by scholars as being among the worst and most tragic incidents in the history of the United States. (Rostow, "The Japanese American Cases—A Disaster" 1945; Dembits, "Racial Discrimination and the Military Judgement: The Supreme Court's *Korematsu* and *Endo* Decisions," 1945; Freeman, "Genesis, Exodus and Leviticus—Genealogy, Evacuation, and Law," 1953).

Despite subsequent scholarly disapproval, the evacuation and internment remains viable precedent that has never been expressly overturned or repudiated. This point was made eloquently by Justice Jackson in his dissenting opinion in *Korematsu v. United States*:

"A military order, however unconstitutional, is not apt to last longer than the military emergency. Even during that period a succeeding commander may revoke it all. But once a judicial opinion rationalizes such an order to show that it conforms to the Constitution, or rather rationalizes the Constitution to show that the Constitution sanctions such an order, the Court for all time has validated the principle of racial discrimination in criminal procedure and of transplanting American citizens. The principle then lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need." (Emphasis added.)

Thus, the evacuation precedent remains with us "like a loaded weapon". This dangerous precedent is indeed the lingering wound which the nation carries from its wartime evacuation and internment experience.

### A National Remedy

On September 25, 1971, President Nixon signed a bill repealing the provisions of Title II of the Internal Security Act of 1950 (also called the Emergency Detention Act). On February 19, 1976, President Gerald R. Ford formally rescinded Executive Order 9066, the order under which the wartime evacuation took place. Thus, express authorization for the type of mass evacuation and internment of civilians that took place during World War II appears to be removed. However, such negative measures do not appear to impede similar government action when it feels threatened or imperiled. (*Dellums v. Powell*, supra).

Accordingly, the Commission should recommend to Congress that it enact affirmative legislation that would forever prohibit the type of mass arrest and incarceration of civilians that characterized the Japanese American internment during World War II. Only in this way can we assure future generations of Americans that this will never happen again.

### Conclusion

In considering "appropriate remedies", the Commission must address the injuries suffered by (1) individuals, (2) the affected communities, and (3) the nation as a whole. When considered in this light, it appears self-evident that true redress must include (1) individual monetary payments, (2) federal assistance to the affected communities, and (3) a statute prohibiting such an act from ever happening again. All three of these elements are necessary for true redress.

### Endnotes

(1) The Commission is also required to investigate the relocation and detainment of approximately 1,000 Aleut Civilians during World War II.

(2) The Japanese American Citizens League was founded in 1931 and currently has approximately 30,000 members in 114 chapters throughout the United States. It is the oldest and largest civil rights organization representing Americans of Japanese ancestry.



# Contributions of The 442nd/100th/MIS

By Eric Saul

*Eric Saul is the Director of the Presidio Army Museum and has done extensive study on the history of the American Army and fighting soldiers. For the past two years, Mr. Saul has researched and met with veterans of the 442nd Regimental Combat Team to create the "Go for Broke" exhibit chronicling the history of the most decorated unit (for its size) in the history of the U.S. Army.*

**T**HE story of the Japanese American soldier and the American Army begins with drafting of the first Nisei young men in 1940 and 1941. These Nisei prior to the war were treated like every other soldier and served along side the Caucasian soldiers of the Army. These Nisei soldiers were stationed at various posts across the United States with several young men attaining the rank of Warrant Officer and Officer. After Pearl Harbor, however, the Nisei were virtually dismissed from their positions of responsibility and command.

In the weeks following Pearl Harbor, the entire population of Nisei soldiers in the United States Army was congregated in several Army bases throughout the country. Among these bases were Ft. Riley, Ks.; Ft. Douglas, Ut.; and Ft. Robinson, Ark. These young Nisei soldiers again were given the tasks of mowing lawns and doing menial labor. It was reported that Nisei who mowed lawns were not permitted to come within 100 feet of the window of an office building. The young Japanese American soldiers were demoralized to have been treated as second-class soldiers and to be congregated and segregated from the rest of the Army. After Pearl Harbor the drafting of Americans of Japanese ancestry was halted, and most young Nisei received the classification of 4C, "enemy alien"—unavailable for the draft. This action shocked and dismayed many young Nisei who wished to join the Army and serve against the country's enemies.

While the process of evacuation and internment of Japanese Americans was taking place on the West Coast, in Hawaii, 3,000 miles closer to the war and an area certainly more vulnerable to ideal attack, young men of Japanese ancestry who had served in the Hawaiian National Guard units and who had been thrown out of the National Guard units after the outbreak of war were being given the opportunity to enlist in the Army of the United States in a segregated unit. The "Hawaiian Provisional Battalion" was composed of Americans of Japanese ancestry and many Caucasian officers. This unit was activated and sent from Hawaii to Camp McCoy, Wis. The decision to form an all-Japanese American segregated battalion arose from the hopes that Japanese American young men who lived in Hawaii would have the opportunity to prove the loyalty of Japanese Americans on the islands. However, the opportunity for mainland young men who had suffered the internment was not to come for many, many months.

The "Hawaiian Provisional Battalion" was renamed the "100th Infantry Battalion (Separate)". It was commanded by Col. Farant Turner. Its motto was "Remember Pearl Harbor!"

At Camp McCoy, these young men proved their ability to soldier to the point where they were winning marksmanship contests, marching contests, rifle contests and other forms of training and were setting all kinds of records for the quality of their services in training. The Federal Government had kept an extremely close eye on these young men as they trained. They were under the constant surveillance of various Army Intelligence units and even of the Federal Bureau

of Investigation. Because of the quality of service rendered at Camp McCoy, the War Department authorized formation of the 100th Infantry Battalion. The War Department along with several influential politicians in Washington discussed whether Nisei from continental United States and from the concentration camps could be drafted or enlisted into the Army. The decision was made to ask for the enlistment of young men from the United States. A call for 2,000 volunteers was made and over 10,000 men stepped forward for applications to enlist. In the United States and from the concentration camps teams of enlisting officers asked the young men to join and serve in the Army.



100th/442nd photos, courtesy 'Go For Broke Trust Fund', publishers, 'Go For Broke', to be printed in spring, 1982.

This raised a storm of controversy among these people in the camps who felt that the United States had imposed a grievous harm upon the Japanese community and who felt that young men should not participate in armed conflict and strongly, even violently, advocated that young men would not be permitted to go to war. Despite these protests, thousands of young men joined the newly constituted and established 442nd Regimental Combat Team comprised primarily of Americans of Japanese ancestry.

It was an extremely difficult situation for these young men to enter into. They knew they were entering a segregated unit. The purpose of its creation to them and even to the War Department itself was obscure. Rumors flew around the camps that the 442nd would be a suicide unit and be sent into battle indiscriminately to kill the young Nisei men. The young men did not see themselves as heroes or as great men. They saw themselves simply as good and loyal Americans doing what everybody else was doing... no more and no less. Yet they knew that when this war was over and when the shooting stopped, people would ask these men what had they done in the war, and were they good Americans! They further knew they were to be the only voice... the only tangible physical evidence of this deep loyalty they felt to the United States. They felt that they could prove their loyalty, not by bragging and not by demonstrating but only through their physical actions. Their willingness to serve in the Army under any circumstances would dispel the myth of the disloyalty they were then being accused of. There was fear in the camps that they and their parents and their very children might be incarcerated and held illegally and unjustly for the rest of their lives had they not been willing to enter the Army.

The choice to join the Army by these young men was an individual decision for each man. There were no discussions, no rallies, each man simply searched his soul and found within it the strong moral principles of loyalty and of the repayment of a debt of that strong and unabating loyalty to one's family and because of this dream and

this loyalty and because they knew they were the only voice, they joined.

\*The 442nd was constituted on February 1, 1943 in Camp Shelby, Miss. Nisei from all over the country who already were serving in the various posts assembled along with the new enlistees from the concentration camps in this newly established Army base. The 442nd found their brother, the 100th, already in training at Camp Shelby. These thousands of young men of Japanese ancestry proved a curiosity to the people of this small Mississippi town of Hattiesburg. The Council of Hattiesburg had a meeting for the purpose of deciding whether in the use of rest rooms and eating facilities, the 442nd and 100th would be considered white or black. The decision was made that these men were to be considered white. It seems truly ironic that these men's truth and loyalty in the face of this prejudice had yet to sense another face of prejudice, in America,

LaCrosse Tribune Photo  
Men of the 100th in  
formation at Camp  
McCoy, Wis.

War Dept. Photo  
Training completed,  
men of the 442nd  
prepare to  
embark for European  
campaign.



in a land far from Hawaii and the West Coast.

The Commanding Officer chosen for the 442nd was Col. Charles W. Pence. He was not chosen for any specific reason to command this unique unit, but was sensitive enough to know that these young men had a difficult task to prove to the Army that they were as good as anybody else. Col. Pence was a tough and rigid disciplinarian who insisted upon good soldiering above all things, but admonished his men that they weren't merely soldiers in the United States Army, but representatives of their people. Anything they did would reflect on the entire Japanese American community. This, however, was something no Nisei had to be told. For in training at Camp Shelby, both the 100th Inf. Bn. and the 442nd RCT had set records upon records for their ability to train their soldiers in the United States Army. The 442nd had the highest marksmanship, the highest discipline and drill and were noted for having every man finish the arduous 25-mile full pack marches.

During their training in Camp Shelby, the officers and First Sergeants of both the 100th and the 442nd had to report to the FBI agents to determine whether this unit would be loyal to the United States in combat or whether any individual member of the unit would be disloyal. Furthermore, when soldiers went on leave from Camp Shelby or McCoy to various cities, they would be tailed by FBI agents. While soldiers of the 442nd were on marches or out of the barracks, the FBI would search their billets for evidence of sabotage. None could be found, and there was not one case of AWOL or desertion either during this period of training or in combat.

Because of the fear of disloyalty, both Nisei fighting units were trained for an overly extended period. Both were trained for over a year. In comparison, other major combat units because of the need were organized within a 4-6 month period and would be considered "combat ready". There was strong evidence that the 100th and 442nd were overly trained because: (a) they were under suspicion, and (b) ironically, no major European Commander would accept the services of Japanese Americans. The Army still needed answers as to how American soldiers of Japanese ancestry would acquit themselves in battle. The answer came on August 11, 1943 when Gen. Mark Clark needed soldiers for the Italian campaigns. He asked for the Nisei soldiers and attached them to the famous "Red Bull" 34th Division. The 100th engaged in its first campaign on September 19, 1943 when it landed on the beaches of Salerno, Italy. They participated in the fighting of Montemarano, beaches of Salerno, the crossings of the Rapido River and actions at Volturno and Cassino and at the final breakout from the Anzio Beachhead. During these engagements the 100th met every military objective and fought off

the enemy in countless attacks and counter-attacks in some of the most ferocious fighting of the early days of the Italian campaigns. Their bravery in action and their extreme determination to prove themselves good soldiers against all odds led to such a high casualty rate that they earned the name of the "Purple Heart Battalion."

The record of the 100th in these campaigns led to the decision to send the 442nd "Go for Broke" Regiment into its first combat. The 442nd was requested by Gen. Clark, the Theatre Commander in Italian Campaigns, who upon hearing of the bravery of the 442nd soldiers asked Chief of Staff, Gen. George C. Marshall to "send me all you've got". The 442nd's efficiency and fighting ability quickly approached that of its predecessor, the 100th Infantry Battalion. In the early campaigns the 442nd was instrumental in the capture of Livorno and in pushing the German Army north of the Arno River. In August 1944, the 442nd Anti-Tank Company took part in Operation Anvil (campaign of Southern France). Meanwhile, back in Italy, the 442nd established positions just beyond the Arno River. They left these positions to rejoin their Anti-Tank Company in France.



After suffering heavy casualties, the 442nd was reconstituted to Epinal where they were attached to the 36th Division, the "T-Bone." Upon arrival, they were almost immediately pressed into action. It was clear to the men of the 442nd that almost all of the campaigns which they were to serve during our seven major campaigns would be in slightly more than 14 months of combat. This was practically unheard of in the annals of warfare where a unit would serve almost continually on the line and in combat without the ability to be re-equipped. It was clear to this historian that the 442nd was an independently organized spearhead type of unit. A spearhead is a unit which often serves way in front of the lines and is used to make initial attacks upon the enemy position. Because the enemy is strongest during its initial attack, it has to be "softened" up.

Because they were operating independently many times, the 442nd suffered an enormous casualty rate, the highest of any unit in the entire history of the American Army. The total loss of wounded soldiers constituted three times the actual strength of a regiment. In other words, a regiment of World War II was comprised of 4,500 men. Because of the high casualty rates and the spearhead combat operations, the 442nd had 18,000 men who eventually served in the unit. Therefore the regiment was replaced over three complete times making it a 300% casualty turnover rate for service. Over 700 men were killed in the 442nd. During combat in World War II, if an Infantry regiment or division suffered more than 20% casualties, let alone 300%, these losses were considered excessive and these units would be sent behind the line for re-equipping, reconstituting and rest.

This was not to be the case for the "Go for Broke" regiment. They were in battle constantly with no rest, no re-equipping, with simply recruits being sent up from the Hawaiian Islands and concentration camps to fill the diminishing ranks of these combat weary veterans. And yet these men didn't know the difference. They simply thought that was a normal course of events for an Infantry combat unit to suffer 300% and 9,486 casualties in the course of a war. Who could they compare with? Nobody complained. Every man served without question.

Nowhere was there more fierce and ferocious fighting than in the Bruyeres campaign, a small town liberated by the 442nd in southern France. The fierce fighting in the Bruyeres campaign which lasted three days was followed by a campaign which, because of its hectic action by the 442nd, was considered among the top 10 battles in the history of the U.S. Army. It began on Oct. 27, 1944 when the 442nd received orders to break the German ring that surrounded the "Lost Battalion" of the 141st Regiment, 36th Division. The "Lost Battalion" had been isolated for almost a week and was low on food and ammunition—the 442nd was ordered to reach them at any cost. They moved into action, and during the next four days, they engaged in the bloodiest and fiercest fighting ever undertaken by the 442nd. The men fought from tree-to-tree, against hidden machine-gun nests and tank-supported infantry. They drove through shrapnel-filled barrages of mortar and artillery fire and crossed minefields and booby traps. They never stopped in their determined drive to reach the entrapped battalion. At the end of this action, more than 200 men of the 442nd were dead. In addition, 600 men were wounded, the total number of casualties exceeded the number of men saved, but the 442nd had fought through and rescued the "Lost Battalion."



War Dept. Photo

Men of the 100th Infantry move up to the front on a dusty road in southern Italy, May 28, 1944.

After this battle, Gen. John E. Dahlquist of the 36th asked the men of the 442nd to be assembled so that he could thank them personally. When he saw only several hundred men (out of the usual regimental complement of 4,500), he asked the 442nd Commander, Col. Pence, "Where are the rest of the men?" Pence tearfully replied, "You're looking at the entire regiment . . . that's all that's left."

At the beginning of this action, Company K had started with 200 riflemen, but had 17 men left when the "Lost Battalion" was reached. Company I had only 8 men left. Both companies lost all their officers and the noncoms ran the companies for the last few days of action. All the other companies had suffered similar losses.

After the rescuing of the "Lost Battalion", the 442nd was relieved on November 8 and was sent to southern France to guard the French-Italian border. This was officially labelled the "North Apennines Campaign". The men of the 442nd called it the "Chamagne Campaign". During this assignment, the 442nd was brought back to life with replacements of men and a fresh supply of material.

During the closing months of World War II, Gen. Clark personally requested Gen. Dwight D. Eisenhower to send the 442nd back to Italy in March, 1945, to participate in the Gothic Line campaign. The 442nd was again asked to spearhead a frontal attack on the heavily fortified German Gothic Line. Hitler and his generals in their fanatical attempt to prevent the Allied Forces from plunging further into Italy heavily fortified a German mountain range. Hitler sent his best soldiers to hold the high ground at any cost. The breaching of the Gothic Line was crucial to the ending of the war, and Gen. Clark had already committed the 91st and 92nd Divisions. In five months of fierce fighting the war was at a stalemate, and the two divisions were helpless to break through this German position.

The 442nd was assigned the task of creating a diversionary attack from the central fighting so that the 91st and 92nd Divisions could break through the position. The 442nd, however, didn't take too kindly to being merely a "diversional unit". On April 5, 1945, the 442nd began its "diversional attack" on the German right flank. During the dark hours before dawn, the men of the 442nd and the 100th climbed two nearly vertical 3,000-ft. mountains to get a vulnerable position on the Germans and thus gain the advantage in the attack. They climbed these mountains in the dark of night and jumped off just after dawn. It was reported that men of the 442nd yelled "banzai" as they ran down into the German positions. The 442nd attack lasted nearly 32 minutes and in that fantastic time the 442nd broke two key German mountain top positions. With this break in the Gothic Line, other enemy positions fell one by one. What started as a "diversional attack" soon developed into a major rout and completely destroyed the

enemy's western section. The Gothic Line which couldn't be broken by over 40,000 men in six months was destroyed by 4,000 men in 32 minutes.

The 442nd "Go For Broke" spirit and willing attitude exemplified the highest ideals and attainment to be expected of any American soldier. As reported in the Congressional Record by Gen. Jacob L. Devers, Chief of the Army Ground Forces: "... the 100th and the 442nd suffered 9,486 casualties, including 650 soldiers who were killed in action. The total number of casualties was more than twice the assigned complement of men in the unit." In spite of this, during its intense military missions, the Beachhead News reported, "The 442nd . . . never gave ground, never took a backward step."

In less than two years, the 100th and the 442nd had successfully fought in seven major military campaigns: Naples-Foggia Campaign; the Rome-Arno; Southern France (Operation Anvil); the Rhineland; the North Apennines; Central Europe Campaign; and the Po Valley. The Congressional Record reported that they had received, among other awards and citations, "... a Congressional Medal of Honor; 52 Distinguished Service Crosses; 1 Distinguished Service Medal; 560 Silver Stars plus 28 Oak Leaf Clusters; 22 Legions of Merit; 15 Soldiers Medals; 4,000 Bronze Stars with 1,200 Oak Leaf Clusters; 9,486 Purple Hearts; 7 Presidential Distinguished Unit Citations; 2 Meritorious Unit Service Plaques; 36 Army Commendations; 87 Division Commendations; 18 decorations from allied nations; and a special plaque of appreciation from the men of the "Lost Battalion". Several years after the war, Governor John Connolly of Texas issued a proclamation officially making all former members of 442nd, "honorary Texans." Altogether there were 18,143 individual decorations for valor, thus making the 100th and the 442nd "the most decorated unit for its size and length of service in the history of the United States."

The 442nd and the 100th received 7 Presidential Citations. No other unit of any size had ever won that many awards for bravery in action. The Presidential Unit Citation is very much like receiving a Medal of Honor for a military unit. Because the 442nd had received so many Presidential Unit Citations, President Harry S. Truman asked the 442nd on its return home from Europe to march on the White House lawn and to have him personally pin the final Presidential Unit Citation on the 442nd colors. It was a rainy, cold and miserable day and the aide to President Truman said, "Sir, maybe we should cancel the ceremony because of the weather." To which President Truman replied, "After what these boys have been through I can stand a little rain." At the moment he pinned the colors on, Truman said, "... I can't tell you how much I appreciate the privilege of being able to show you just how much the United States thinks of what you have done . . . You fought not only the enemy but you fought prejudice . . . and you won."

What did the service of the 442nd and the 100th mean to America? A regiment really is a small unit when compared to the

millions and millions of men who fought in the United States Army during World War II. There was no question of the loyalty and the bravery of these men. And 18,000 medals for bravery showed everyone they were loyal Americans. If the 442nd would have proved that they were the 8th . . . the 7th . . . or the 4th most decorated unit in the history of the Army, that would have been enough to prove their loyalty, but they were the most decorated unit, the bravest unit to come out of the United States Army! A group of men who arose above the prejudice and suspicion of their times to prove to contemporaries the loyalty of not only themselves, but of their very parents and of their children and of their children's children. The evacuation, detainment and internment of the entire population of Japanese on the West Coast was in direct opposition and contradiction to the bravery and loyalty of these young men.

Before the war, Americans of Japanese ancestry found it difficult to become professionals in any position whether it be a doctor, a lawyer, or an accountant. Most positions were closed to Orientals and Japanese. Their Issei (first generation Americans) could not own land and could not even become citizens in the land of their choice. When the men of the 442nd returned home from the war, much of that prejudice could not stand. They had proved once and for all times that they were Americans beyond a shadow of a doubt so that they could work in the profession of their preference. They could walk with their heads high. They contributed immeasurably to the change in attitude which led to legislation allowing their parents to become citizens in 1952, and allowing the first generation Issei to own land. They insured that their children and their children's children and all the generations that may come will be secure in the blessings that this country has to offer. That was the sacrifice and the service of the 442nd to America and to the Japanese Americans.

For a unit so small, but yet so brave, they did so much for us that one might compare the services of the 442nd to other military units who have literally changed the course of history. I would like to compare the services of the 442nd with the 300 Spartan men who at Thermopylae held off an army of 500 Phoenicians and thereby enabled the Greek armies to unite and win the battles that changed the entire course of Greek history and that of western civilization. The role of the 442nd was very much like that of those 300 intrepid Spartans who did change history.

What, in fact, did the 442nd accomplish in their service to the United States and to the Japanese Americans? When the men of the 442nd returned home the prejudice they had experienced before the war in not being able to obtain professional jobs and not being able to go to certain schools was changed. They came home bonafide heroes. Those heroes proved the loyalty of their parents and of themselves, and removed for all times the stigma placed upon all Japanese Americans during World War II.

The veterans of the 100th Inf., and the 442nd served in the only unit in the history of the Army to produce two United States senators: Senator Daniel K. Inouye, who served as a captain of Company E, 442nd; and Senator Spark M. Matsunaga who served as a captain in the 100th Infantry.

Because the veterans in all their humility were really unwilling to relate their war service to the general population, we at the Presidio Army Museum, felt it was necessary to tell their story. It is a story that represents the loyalty, patriotism and devotion to country of all Japanese Americans, and we fervently hope that the mistake made during World War II will never be repeated.



# Economic Effects of WW2 upon Japanese Americans in California

By Lon Hatamiya

THROUGHOUT the history of the United States, its economic development has been dependent upon the basic progress of the diverse groups that make up the country's population. This continuing saga of American history and economic growth presents the odyssey of one group of newcomers after another who came to these shores—some on their own free will and others in the chains of bondage; some escaping religious persecution, others fleeing from political oppression; and finally many seeking to benefit from the enormous economic opportunities this land had to offer. Together the congregation of this diverse assemblage make up the Great American Nation.

The United States, as the classic example of a highly industrialized nation made up of people of diverse ethnic origins, constitutes both in its history and its current situation a living laboratory for the serious study of various underlying patterns of ethnic interaction. These patterns produced in this country both corroding failure and certain modified successes; they have by no means been free of a residue of unfulfilled personal hopes, psychological scars, and unjustified hardships for those who were not born with the majority sociological characteristics of being white, Protestant, and of Anglo-Saxon cultural origins. Therefore, this study will attempt to examine the pattern of interactions of one such ethnic group, the Japanese Americans, and to determine how these patterns affected their economic growth and role in American society.

There have been numerous historical studies of Japanese Americans in general; however, none have dealt exclusively with their economic status in this country. Their history and development is unique among the stories of American minorities. No voluntary immigrant group encountered higher walls of prejudice and discrimination than did the Japanese<sup>1</sup>—the denial on racist grounds of the right to naturalization; laws forbidding their ownership of agricultural land; total exclusion of additional immigrants in 1924; and finally, as a culmination of this long and shameful treatment, their mass evacuation to internment camps during World War II. The Japanese are also unique in that so much has happened to them in a relatively short time. (They have been a part of American society for a little more than a century.)<sup>2</sup> Nevertheless, this study will not attempt to reiterate previous historical rhetoric, but will seek to produce new insights into the economic effects of the Second World War upon Japanese in the United States, and more specifically, upon those in California.

There are several reasons for investigating this subject. First of all, there had been no substantial investigation into the economic aspect of Japanese American life since immediately after the war.<sup>3</sup> Second, since the Japanese were the victims of one of the largest forced migrations in American history, there is the opportunity to study the effects of this external shock on the patterns of economic development. Third, this study allows for statistical methods to be used to draw comparative analysis between pre-war, post-war, and present-day economic characteristics of Japanese Americans. Furthermore, it may enable us to predict what would have happened to Japanese Americans had they not been interned. Finally, the opportunity exists to reveal how dramatically racial

prejudice and nationwide hysteria can alter economic development patterns of a targeted ethnic group.

The ambitions of this study were too great for the time and information available. As a consequence, I weighed the choices of intensively analyzing a smaller portion of the story or of resorting to the expedient of piecing out demonstrable facts with statistical assumptions and inferences. I decided on the latter alternative because the former approach would be much less meaningful, even though it might yield safer results. As far as the overall story is concerned, I have tried to follow where the factually important questions led. Thus, although some basic assumptions may lack precise documentation, they will be based upon some familiarity with the subject being considered. The reader will match this exercise in self-restraint if he keeps in mind the varying firmness of empirical foundations.

However, before any analysis can be undertaken, a brief history of the Japanese in the United States is essential to allow for the fullest understanding of the problem to be examined.

## I History of Japanese Immigration to the United States

The early history of Japanese people in America was, as in the case of many immigrant groups, beset with hardship, poverty, and discrimination. As immigrants to the United States, the Japanese were late-comers, as they began arriving in this country in the late nineteenth and early twentieth centuries. Japanese immigration into the United States was but an aspect of Japanese international migration. From 1542-1638, Japan maintained contact with Western nations during which period there was considerable international migration on the part of the Japanese people; large settlements sprang up in Thailand and the Philippines.<sup>4</sup> However, in 1638 Japan adopted a policy of exclusion and inclusion, which remained in effect until 1854, when Commodore Matthew Perry and the United States opened the gates of Japan. Hence there was no international migration of Japanese during the years 1638-1854, which explains the relatively late arrival of Japanese immigrants to the United States.

The visit of Commodore Perry to Japan in 1854 and the overthrow of the feudal Tokugawa regime in 1854 led to the opening of Japan's doors to the outside world and the eventual flow of immigrants to the United States.

Table 1 reveals that even with the enormous opportunities available in America, Japanese immigrant numbers never exceeded 30,000 nor rarely went over 10,000 people in any given year. This may be directly attributed to root causes: (1) fluctuating foreign policy of the Japanese government in terms of emigration; and (2) the growing anti-Oriental feelings on the West Coast of the United States.<sup>6</sup> Both apparently contributed to the limited arrival of seemingly insignificant numbers of Japanese to the United States.

TABLE 1

Japanese Immigrants to the United States: 1860-1940

Period	Number	% of all immigrants
1861-1870	218	.01
1871-1880	149	.02
1881-1890	2,270	.04
1891-1900	27,982	.77
1901-1907	108,163	1.74
1908-1914	74,478	1.11
1915-1924	85,197	2.16
1925-1940	6,156	.03

SOURCE: Calculated from United States Bureau of Census, Historical Statistics of the United States (Washington, D.C.: U.S. Government Printing Office, 1970), Series C, 88-119.

Japanese migrants to the United States can be divided into three major groups: (1) students, (2) laborers, and (3) females. The first group immigrated between the years 1868-1885, but their numbers were insignificant. The majority of this student class who came were from the nobility, and most of them attended the schools and universities along the Eastern seaboard. These constituted an industrious, studious, and shy group.<sup>6</sup> They also were the product of the newly restored Imperial government in Japan. The fifth principle of the so-called Charter Oath of April 6, 1868, embodies the attitude of the new government in regard to Western civilization: "... (5) Knowledge shall be sought throughout the world, so that the foundations of the Empire may be strengthened.<sup>7</sup> Thus, the initial student class to the United States was motivated to come to this country by their government.

The second group of Japanese immigrants, the laborers arrived from 1885-1908. In 1884, an agreement was made with Hawaiian plantation owners to send contract laborers to Hawaii. Previous to 1884, labor emigration had not been permitted by the government of Japan, but, stimulated partly by a better knowledge of the world at large and partly by overcrowding at home, the government finally adopted a policy allowing its laboring classes to emigrate to foreign countries.<sup>8</sup> Nevertheless, since contract labor was prohibited in the United States, the Japanese government discouraged labor immigration there, but allowed many emigrants to venture to Hawaii. Consequently, very few emigrants entered the United States itself. (See Table 1, 1861-1890.)

In 1890, however, Hawaii was annexed to the United States and in 1900 contract labor in Hawaii ended. This freed thousands of Japanese laborers from the Hawaiian plantations to go to the mainland, (in general, to replace Chinese "coolie" labor, which had been legally excluded from the United States since 1882).<sup>9</sup> In addition, more laborers came to the United States directly from Japan; yet their numbers remained small. According to sociologist William Petersen:

"In the modern period, characterized by swollen populations and efficient mass transportation, a migration must be measured in millions to be significant. And as we know from a hundred analyses, overpopulated Japan has been the country of the world from which one might have anticipated an emigration commensurate with its growing numbers. Yet the movement from this overcrowded land during the whole of the Meiji era totaled not many millions, but only some hundreds of thousands."<sup>10</sup>

Why then was Japanese immigration to the United States so limited? A continuation of this story may reveal some concrete answers.

Japanese immigration continued to the United States until 1901, when President Theodore Roosevelt issued a proclamation prohibiting entry of Japanese laborers into the continental United States if they had received passports to Hawaii, Canada, or Mexico. In a "Gentlemen's Agreement" of the same year, the Japanese government agreed to end direct immigration of Japanese laborers to the United States. All of these actions were prompted by the growing anti-Japanese movement on the West Coast.

The ending of labor immigration to the United States was accomplished simply by not issuing passports to laborers unless: (1) they were returning from a visit to Japan; (2) they were to assume active control of an already existing interest in a farming enterprise; or (3) they were to join a parent, husband, or child. The last of these reasons accounted for the third wave of immigrants, the women, from 1908 to 1924.

Although the immigrant numbers from Japan were insignificant during the period 1908-1924, at the same time the sex composition was radically altered—there were more women. Before 1905, females always made up less than ten percent of the total Japanese immigration, but by 1908, they made up close to 20-35% of the total.<sup>11</sup> The coming of these women, many of whom were known as "picture-brides" (candidates for pre-arranged marriages<sup>12</sup>), although permitted under the "Gentlemen's Agreement," naturally focused the attention of anti-Japanese agitators.

All in all, the fragmented pattern of Japanese immigration to the United States only lasted for a little over three decades. The anti-Japanese movement grew so powerful on the West Coast that they succeeded in finally achieving total exclusion of Japanese immigrants in 1924.

The exclusion law was the culmination of the organized anti-Japanese movement begun in 1905 in San Francisco. In 1907, the first restrictive measures on Japanese immigration were adopted by the federal government. These were followed by the alien land laws in several states in 1913, which imposed serious legal disabilities on Japanese farming in those states. (In California, Japanese were unable to purchase agricultural lands if they were not American citizens.<sup>13</sup> But all of these anti-Japanese measures were considered by the federal administration as "local," arising out of peculiar economic conditions. The Exclusion Act of 1924 was, however, unmistakably national in scope, and it placed the Japanese in a select group—one that was denied both citizenship and immigration privileges.

The 1924 immigration act was a major victory for racists, nativists, and exclusionists in the United States and conversely caused great resentment and animosity in Japan:

"The American bill of 1924 undoubtedly strengthened the hands of the militarists and nationalists in Japan. Leonard Mosley in writing about the life of Emperor Hirohito, mentions this act as one important link in the chain that eventually led to the Japanese attack on Pearl Harbor in 1941."<sup>14</sup>

In addition, Professor Edwin Reischauer of Harvard states:

"By the early twentieth century Japanese had been effectively banned on openly racial grounds from the United States... As the Japanese saw the situation, they were not only being discriminated against in a humiliating way but were being economically bottled up. The only answer, some felt, was military expansion again on the nearby Asian continent."<sup>15</sup>

Nonetheless, from 1924 until the passage in 1952 of the McCarran-Walters Bill (allowing Japanese to become naturalized citizens), Japanese immigration to the United States was over.

The reason for the limited Japanese immigration and their eventual tragic exclusion from the United States cannot be simply or rationally stated. They were the results of a combination of attitudes, emotions, stereotypes, and misunderstandings of cultural and social differences. Therefore, a closer examination of the character of the Japanese immigrant may provide a clearer insight into those influences that adversely affected this small ethnic minority in America.



## II Prewar Economic Status of Japanese in California

Like other immigrant groups, the Japanese tended to concentrate in certain localities; this localizing tendency may have been partly determined by economic opportunities offered them, but it also may have limited the scope to their economic activities. In any case, the majority of Japanese coming to the United States tended to settle on the Pacific Coast, and more specifically in California. Therefore, for the sake of logical practicality, this study will primarily focus upon the Japanese in California.

In regard to the Japanese concentration on the Pacific Coast, Professor Yamato Ichihashi offered the following general observations:

"First, there has been no large movement of European immigrants to the Pacific region, chiefly on account of distance; on the other hand, Chinese from across the Pacific Ocean had been induced or attracted from the early 1850s and had continued to pour in until 1882... Japanese immigrants were mostly attracted to California, and in that sense they may be said to have followed the footsteps of Chinese...

... Another important reason for Japanese concentration on the Pacific Coast, particularly in California, is the location of American ports through which they entered the country.<sup>1</sup>

Another important reason for Japanese concentration in California was the numerous economic opportunities available in that sparsely settled state; there were many possibilities for rapid economic development—building of railroads, mining, farming, etc. Japanese immigrants fulfilled the labor needs of those industries.<sup>2</sup>

A look at Table 2 will further emphasize the majority of Japanese living in California. It appears that from 1910 to 1940, there

TABLE 2  
Concentration of Japanese in California

Year	U.S. %	Calif. %
1940	126,947—100	93,717—73.8
1930	138,834—100	97,456—70.2
1920	111,010—100	71,952—64.8
1910	72,157—100	41,356—57.3

SOURCE: U.S. Bureau of Census: 1910-1940.

was a continual percentage increase of the total Japanese population in California. This may be directly attributed to the previously mentioned reasons, but also to the growing economy of that state.<sup>3</sup> Nevertheless, this concentration of Japanese in California will better enable me to analyze and evaluate a more specific group of people. Furthermore, since the entire Japanese population of California was directly affected by the evacuation of 1942, they would be the most appropriate cross-section of people to be examined.

Now that I have determined the sample to be investigated, this chapter will present three important criteria which will be used in later comparative analysis: (1) most importantly, an introduction of the economic characteristics of Japanese in California, during the period just prior to the outbreak of World War II; (2) a presentation of the economic characteristics of the overall California and United States populations of that same period; and (3) a summarization of the tragic occurrence of the mass incarceration of Japanese Americans during World War II. More significantly, the above information will provide the basis (for comparing with later data) to determine the actual measured effects of the internment on the postwar economic development of the Japanese in California.

Because of their continuous measurement in the United States Census, the economic characteristics of the Japanese in California to be examined are

employment status, occupational distribution, educational pattern, and of paramount importance, their income. But before any of these can be analyzed, this study is initially confronted with a serious problem—a lack of reliable and extensive income data for the Japanese in California or the United States from the 1940 Census. (This will be our starting point, since it is the last extensive year of measurement before World War II). Nevertheless, I will attempt to overcome this problem by relying on predicted income results and by utilizing calculated income data from three independent surveys of Japanese in California.

These surveys, done prior to and immediately after the internment, were given by Professor Edward K. Strong, Jr. of Stanford University in 1935<sup>4</sup> and Professor Leonard Bloom of the University of California at Los Angeles in 1947.<sup>5</sup> Bloom conducted two surveys in different locations of California. A more detailed description of these surveys will follow when income levels are further discussed.

Although indications of bias are strong in the above prescribed income-related methods, explicit assumptions and inferences will be made before any predicted results are given. Therefore I will categorically specify the kind of foundation on which each part of future analysis is based. Income statistics for the Japanese in California in 1940 will lack precise documentation, but will be based on some familiarity of the phenomena being considered.

However, before any income data are discussed, the economic characteristics of Japanese in California during the prewar period should be accurately reported. Following the Exclusion Act of 1924, the Japanese had developed into a unique economic group.

TABLE 3

Employment Status of Persons 14 Years and Older: Overall Population, Blacks, Chinese, and Japanese, for California, 1940

Employment Status	Total Pop.	Blacks	Chinese	Japanese
Number of persons				
14 yrs and older	5,641,516	102,568	30,818	72,488
Percentage in Labor Force	52.3%	59.4%	60.4%	57.6%
Number of persons				
in labor force	2,948,427	60,921	18,612	41,782
Percentage, total	100.0%	100.0%	100.0%	100.0%
Employed (exc. pub. emerg. work)	85.6%	70.3%	86.3%	96.7%
Public Emergency Work	3.8%	12.2%	1.7%	0.2%
Seeking Work	10.6%	17.5%	12.0%	3.1%

SOURCE: U.S. Bureau of Census: 1940

In Table 3, I compare the employment status of three distinct ethnic groups, plus that of the overall population in California for 1940 (see Table 3, following page). Comparisons of the employment status of the disparate groups may be interpreted directly. It appears that blacks and Chinese had a higher proportion in the labor force, but also had higher unemployment rates—17.5 and 12.0% respectively. The economic uniqueness of the Japanese becomes apparent as we begin to compare their figures with the other groups. Of the total Japanese population in California in the labor force, 96.7% were employed compared to only 85.6% for the overall population of the state. More interestingly, however, a look at the unemployment rates reveal clearer differentials among the groups measured—the remarkably low 3.1% unemployment figure for the Japanese in California was three times less than the Chinese, and almost six times less than the blacks'. (And about three times less than the overall national unemployment figure of 9.6%.<sup>6</sup>)

What brought about these differences in employment patterns for the Japanese in

California? Why were they unique in the above way? What allowed the Japanese to maintain such a high employment status even with the numerous discriminatory laws and actions taken against them?<sup>7</sup> These and other questions may be answered with a closer look at the occupational distribution of the Japanese in California in 1940.

By 1924 the main occupational patterns of the Japanese minority were clearly delineated.<sup>8</sup> First in importance was agriculture, especially the intensive operation of small farms supplying produce to Western urban markets. Second, with the growth of Japanese ghettos there developed eating places and shops designed to serve the needs of a culturally differentiated group, and also to exploit the aesthetic aspects of the ethnic group by supplying Oriental specialty goods. Parallel to the growth of these businesses was the development of services such as laundries, barber shops, etc. for the residents of the centrally located communities. Fishing, fish cannery work, and the wholesale and retail produce business also claimed a substantial proportion of Japanese workers. In any event, the following Table 4 and Table 5 will better describe the overall Japanese occupational distribution in California.

Some Japanese occupations aided in direct acculturation and others were much less direct. Small shops and businesses that were primarily dependent upon the ethnic group clientele were non-acculturative in a direct sense. Other occupations required frequent but ritualistic contact with the American majority. For example, housework and gardening allowed the Japanese to meet the larger group, but on a servant-employer basis. In any case, farming, which developed in a comparatively short time in California,<sup>9</sup> occupied the most important place in Japanese economic enterprises.

TABLE 4

Occupational Distribution for the Employed Population: United States, California, and Japanese in California, 1940

Occupational Group	U.S.	Calif.	JA in CA
Total	100.00%	100.00%	100.00%
Professional and Semi-professional	7.4	9.6	2.4
Farmers and Farm Mgrs.	11.4	4.0	14.3
Proprietors, Managers	8.3	11.2	10.4
Clerical, Sales	16.6	20.7	11.4
Craftsmen	11.2	12.8	1.7
Operatives and Kindred Workers	18.3	15.2	6.7
Domestic Service	4.7	3.5	8.0
Service Workers	8.1	3.0	6.0
Farm Laborers	6.8	5.6	28.9
Laborers	6.8	6.0	8.9
Unclassified	2.4	3.4	1.4
Totals	18.2%	9.6%	43.2%

Source: U.S. Bureau of Census: 1940.

Looking once again at Table 4, we see that in the prewar period, 43.2% of the Japanese in California were involved in agriculture as either farmers, farm managers, or laborers. This compares with 9.6% of the California population and 18.2% of the overall United States population. The excessive proportion of Japanese in this primary occupation is significant in that it reflects the demands for new sources of labor by the developing western agricultural states, but also the agricultural background of this ethnic class, already mentioned in Chapter 1. According to Professor Harry Kitano of the University of California at Los Angeles:

"The group was ideally suited to this kind of work. Most had experience in and respect for farming. The pay was better and the jobs more certain than anything they could hope to find in the cities. Labor was in short supply, and the population being male and unmarried, was able to conform to the seasonal demands of this type of occupation... Finally, agriculture did not require of them any initial cash investment or technical skill."<sup>10</sup>

Not only was the high Japanese concentration in agriculture unique within the overall populations, but their other occupation proportions were also quite unusual. Only 2.4% were involved in the professions, as compared to 9.6 and 7.4% for the California and United States populations respectively. About one-fifth operated small retail businesses or were involved in more

Continued on Page 68

The character of the Japanese immigrant as based upon the causes of his migration. These causes must be initially looked at in regard to the Japanese's general attitude toward enterprises outside their own domain. The Hawaiian labor contracts noticed a few Japanese, but this practice was not permitted in the continental United States. The exclusion of Chinese in 1882, discussed earlier, opened the labor market for the young Japanese immigrants, providing a partial incentive; but we must look further at other primary motives.

During the period of increased Japanese immigration from 1890 to 1910, a military conscription law was in effect in Japan:

"The military conscription law of Japan compels every male citizen at the age of twenty to military service for... three years. The desire to escape from service has apparently been strong in young men; one of the most effective ways to fulfill this desire was to emigrate and remain abroad until one was 22 years of age... Many young men undoubtedly came to this country stimulated by their desire to avoid service, and this partly explains the presence of youth in Japanese immigration."<sup>16</sup>

In addition to this cause, the primary motive for Japanese emigration had been economic. Since the need for agricultural laborers was prominent, the stories of the fertile American soil excited the ambitions of the rural farming class of southwestern Japan. Although Japan's economic development was far from that of the United States, it was not a totally poverty-stricken nation.<sup>17</sup> Thus Japanese emigration to this country was impelled by the desire for improvement rather than by necessity of escaping misery at home. This may also explain why Japanese immigration never reached enormous figures.

In addition, the average immigrant from Japan was required to have sufficient monetary resources to travel to this country. Thus, most immigrants were relatively semi-affluent and above the poverty level. Also they achieved a level of literacy.<sup>18</sup>

All in all, the character of the Japanese immigrants who reached the United States is best summarized in the following observation:

"Most of the Japanese who came directly to this country were young men. They came seeking opportunities to study, or better opportunities to gain a livelihood than were prospect at home. They were of course drawn largely from the most intelligent and ambitious of the middle class."<sup>19</sup>

The facts presented in this chapter consequently tend to show that (1) the increase in Japanese residents in the United States was never startling and consisted largely of young men; (2) female immigrants always constituted less than a normal proportion of the total; and (3) the Japanese immigrants exhibited a satisfactory average with respect to their possession of money, ability to read and write, and degree of intelligence and ambition. This brief history of Japanese in the United States provides a short, but basic overview of their initial backgrounds and characteristics. The facts presented should adequately introduce the underlying problems the Japanese have faced in their economic development in this country.

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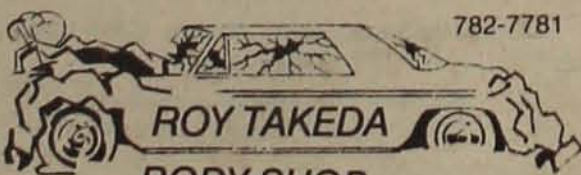
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## JACL-Community Center Scholarships Awarded

The annual Scholarship Awards Night, sponsored jointly by the San Fernando Valley Japanese American Citizens League and the Japanese American Community Center was held on Saturday, June 6, 1981, at the Community Center. The well-attended event honored outstanding students of Japanese ancestry who graduated this June from high schools in the San Fernando Valley. Several local high school counselors attended to help in presentation of the awards. Betty Yamaoka, chairperson of the scholarship committee, was in charge of the evening program, ably assisted by emcee, Roy Kawamoto.



**Back Row**—Charles Itagaki, Dwight Oda, Sheldon Hanagami, Yves Nakahama, Jeffrey Doran, Richard Moore

**Front Row**—Laurie Miyamoto, Donna Tamai, Karen Sakai, Joyce Komukai, Marsha Nishioka, Karen Amano, Nancy Higashi

The guest speaker for the evening was Ralph Lazo, a counselor at Valley College. A Mexican American, he was the only non-Japanese evacuee interned at the Manzanar Relocation Center during WW2. He narrated film strips on the "Japanese American Experience".

The students awarded the two \$500 Eugene Oda Memorial Scholarships were Karen Amano (El Camino High) and

Charles Itagaki (Kennedy High). The \$500 Eugene Oda Memorial Scholarship for the outstanding Mexican American student was awarded to Richard Cesar Moore (Monroe High). Akiko Donna Tami (Taft High) was the recipient of the JACL Boutique Scholarship Award.

Winners of the eleven joint JACL-JACC scholarships were: Jeffrey Doran (Sylmar), Nancy Higashi (Poly), Joyce Komukai (Monroe), Laurie Miyamoto (Kennedy), Yves Nakahama (Sylmar), Marsha Nishioka (Monroe), Dwight Oda (San Fernando), Karen Sakai (Monroe),

Deane Sakaida (El Camino), and Duane Sakaida (El Camino).

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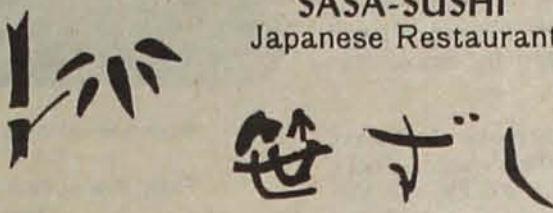
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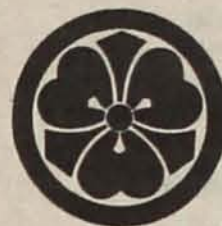
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general business activities; whereas, nearly one-third of the California population and one-quarter of the United States population took part in that area. It can also be noted that the Japanese did not enter the skilled trades nor were they found working in manufacturing concerns to any extent. Their most marked concentrations, (other than agriculture) compared with the general population, were in domestic service, in unskilled labor generally, and in the proprietor-managerial class; and they were notably deficient in the higher professional and white-collar ranks and among skilled laborers. (See Table 6.)

**TABLE 5**

Major Occupational Groups of Employed Japanese Americans California, 1940: By Nativity and Sex

Occ. Grp.	Total	Native-born		Foreign-born	
		Male	Female	Male	Female
Employed (except on public emergency work)	40,415	11,898	5,309	18,227	4,981
Professional and Semiprofessional	1,159	270	198	527	164
Farmers and Farm Mgrs	5,797	1,584	79	3,901	233
Proprietors, Mgrs. & Officials	4,221	891	161	2,756	413
Clerical, Sales	4,612	1,983	1,175	985	469
Craftsmen, Foremen	682	269	27	356	30
Operatives	2,720	1,019	361	787	553
Domestic service	3,252	370	1,475	808	599
Service workers	2,424	334	471	1,014	605
Farm Laborers (wage and Foremen)	7,707	2,490	301	4,370	546
Unpaid family farm workers	3,959	1,537	960	222	1,240
Laborers	3,611	1,078	40	2,407	86
Nonclassifiable	271	73	61	94	43

SOURCE: U.S. Bureau of Census: U.S. Census of the Population: 1940 Characteristics of the Nonwhite Population by Race, Table 38, p. 10.

**TABLE 6**

Occupational Ratio Between Japanese and General Population, for California, 1940

Occupational Group	Ratio J/Ca
Professional and Semiprofessional	0.25
Farmers and Farm Managers	3.57
Proprietors, Managers, except Farm	0.93
Clerical, Sales and Kindred Workers	0.55
Craftsmen and Foremen	0.13
Operatives and Kindred Workers	0.44
Domestic Service Workers	2.28
Service Workers	0.75
Farm Laborers and Foremen	5.16
Laborers	1.48

SOURCE: U.S. Bureau of Census: 1940.

Let us now return to the questions concerning the relatively high employment status of the Japanese in California. The salient importance of farming and entrepreneurial occupations for the Japanese were the main reasons for their high employment rates. In addition, we should also call attention to the large number of unpaid family farm laborers. (See Table 5.) According to Professor Strong of Stanford University:

"A Japanese is distinctly one who owns his business. These businesses are very small, requiring the services on the average of one-half of an employee, not counting members of the family. Today 14% own their farms and 36% are renters, so that there exists in farming as in business this same tendency to won the activity by which a livelihood is earned."<sup>11</sup>

Furthermore, the situation in respect to family labor was especially noteworthy. Whereas only 6% of the total agricultural labor force in California were Japanese, more than 27% of all unpaid family workers were from this ethnic group.<sup>12</sup> Also, Japanese farm owners or managers tended to hire Japanese laborers.<sup>12</sup>

All in all, over one-half of the Japanese labor force worked in industries where self-employment was dominant and family labor and ethnic ties prevailed. Therefore, the unique Japanese occupational distribution explains the high employment rate of the group. In addition, any group heavily concentrated in agriculture appear to have

inflated employment figures.<sup>14</sup> However, high employment figures do not coincide with high economic status. A more thorough look at the agricultural sector of the Japanese in California is essential to perceive their true prewar economic status.

By 1940 there were 5,135 Japanese-operated farms in California with total acreage of 226,194.<sup>15</sup> (An average of approximately 44.0 acres per farm, 5.4 times smaller than the average white farm in California. The following map reveals the areas of Japanese agriculture within the state. Nearly 30% of all Japanese farms were located in Los Angeles County. It may also be interesting to note that:

"Farm ownership by Japanese on the Pacific Coast has always amounted to less than one percent of the total number of farms, total farm acreage, and total cropland. In California, 25% of the farm operators were owners or part owners, less than 5% were managers, while a majority, 70%, rented their farms. It is of interest to note that approximately 90% of the farm operators were tenants in Los Angeles county, while only half or less were so classified in such districts as Fresno, Merced, Placer, and Sacramento."<sup>16</sup>

It appears then that Japanese farmers in California cultivated only small plots and were basically tenant farmers. This is generally due to the Alien Land Laws, which were referred to earlier. Thus, restrictive measures discouraged farm ownership by persons of Japanese ancestry and contributed to establishing an unstable tenure pattern with associated undesirable features inherent in short-term leasing, insecurity of land occupancy, and high tenant mobility.<sup>17</sup> Even with the early restrictive laws and discriminatory measures, opportunities for the Japanese in farming were still greater than in any other occupation.

The prevalence of tenancy and lease arrangements led to the development of modes of farming that required quick growth crops and a minimum of capital investment. The Japanese were most successful in and highly suitable for truck farming. Professor Masakazu Iwata of Biola College in California declares that:

"In 1941 Japanese farmers grew 42% of the state (California) acreage of commercial truck crops. On 205,989 acres they grew produce estimated to have had a valuation of between 30% and 35% by value of all commercial truck crops grown in California..."

At the outbreak of the war, the Japanese were also growing almost 30,000 acres of grapes... Moreover, about 19,000 acres of deciduous fruits and nuts...<sup>18</sup>

It should also be highly emphasized that because of the discriminatory Alien Land Laws, the Japanese were left with only the most marginal land for agriculture in California. It was the Japanese who pioneered the rice industry and produced the first commercial crop of rice on hard pan and goose lands "that were not worth paying taxes on."<sup>19</sup>

Needless to say, part of the pressure for the eventual wartime evacuation of the Japanese came from white produce growers and shippers. In fact, the Japanese truck crop producers were so successful that the larger non-Japanese producers complained of being frozen out by their competition:

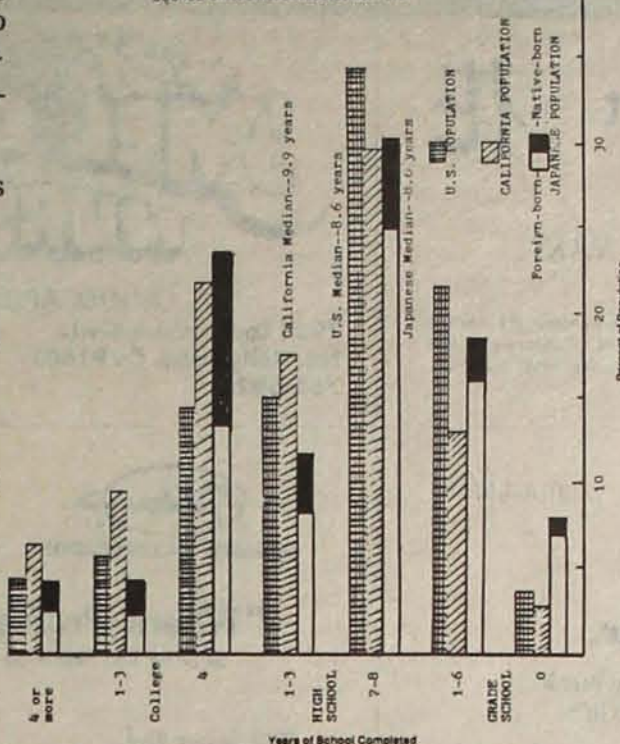
"These groups were confident that with the elimination of the Japanese American producers who had been forced out by competition would be willing to get back into production particularly if they had the assurance that the competition of the 'Japanese family' would not have to be met again."<sup>20</sup>

The wartime evacuation temporarily took all Japanese out of farming. Their losses from their internment can never be fully recompensed or measured. However, it is extremely important that we examine the effects of that internment on the latter economic development of the Japanese in California.

Now that I have established the prewar employment and occupational status of the Japanese, it is appropriate to examine their educational pattern during this period. (See bar graph.)

GRAPH 1--- PERCENT DISTRIBUTION OF SCHOOL YEARS COMPLETED FOR POPULATION 25 YEARS AND OLDER, FOR THE UNITED STATES, CALIFORNIA, AND JAPANESE IN CALIFORNIA BY NATIVITY, 1940

SOURCE: United States Bureau of Census: 1940



The bar graph of school years completed by the population 25 years and older reveals no really significant differences between the Japanese in California and the overall populations of the state and country. The median number of school years completed by the Japanese was 8.6 years for the United States. However, these measures may be quite misleading unless we look at the age and nativity breakdown of the Japanese in California. (See Table 7.)

**TABLE 7**

Age Distribution of the Population for the United States, California, and Japanese in California by Nativity: 1940

Age Gps	U.S.	Calif.	Japanese in Calif.	
			U.S.-born	Fgn-born
All Ages (Pctg)	100.0	100.0	64.2	35.8
Under 5 yrs	8.0	6.6	6.6	0.05
5 to 9	8.1	6.3	7.4	0.06
10 to 14	8.9	6.9	11.2	0.09
15 to 19	9.4	7.9	15.4	0.20
20 to 24	8.8	8.3	12.6	0.40
25 to 29	8.4	8.9	6.5	0.50
30 to 34	7.8	8.4	2.5	1.6
35 to 39	7.2	8.1	1.1	4.7
40 to 44	6.7	7.5	0.4	5.8
45 to 49	6.3	7.0	0.2	4.8
50 to 54	5.5	6.4	0.07	6.2
55 to 59	4.4	5.3	0.03	5.1
60 to 64	3.6	4.3	0.01	3.9
65 to 74	4.9	5.6	0.02	2.1
75 and older	2.0	2.4	0.01	0.2
Median Age Yrs.	29.0	33.0	16.8	48.70
Japanese in Calif.		22.7		

SOURCE: U.S. Bureau of Census: 1940.

The Japanese in California were definitely a young group, with a median of only 22.7 years of age. This compares with medians of 33.0 and 29.0 years for California and the United States. With a closer evaluation of Table 7, we see that the native-born element of the Japanese population was extremely young with a median of 16.8 years; on the other hand, the foreign-born element made up the majority of the older population (25 years and older), with a median of close to 50 years of age. Therefore, taking into consideration the youthfulness of the Japanese, their relatively short residence in this country,<sup>21</sup> and the United States Census measurement of only persons 25 years and older for school years completed, we may assume that educational patterns of 1940 reflected the foreign-born element of the Japanese population.

Referring again to Professor Kitano of UCLA, he contends that:

"In Japan, during the late 1890s at least four years of education were compulsory, and another four years were optional. Most Issei (foreign-born), therefore, came to America with the equivalent of eight years of schooling, and in addition, had an understanding of, familiarity with, and respect for the educational process. It was these attitudes that they devoted themselves to the educational preparation of the Nisei (native-born) generation in America."<sup>22</sup>

The eight years of school in Japan cited in the above passage, then, is closely reflected in the median of 8.6 years. Bar graph I

illustrates in high distribution of foreign-born Japanese in that range. Furthermore, with educational patterns in 1940 of Japanese in California greatly dependent on the foreign-born element, it would appear that the Japanese had the ability (with a larger number of young native-born, yet to be educated) to increase their education significantly in future periods. Further analysis in the next chapter will attempt to prove that this phenomenon actually did occur.

Nevertheless, detailed analysis of all the previously examined economic characteristics of the Japanese in California will enable me to discuss the last and most important criterion—income attainment. As stated earlier, the problem of lack of actual income statistics exists. However, with a methodical assessment of all data available, I will attempt to construct a predicted income model for the Japanese in California for 1940.

This income prediction model will be heavily dependent upon the findings of the strong and Bloom surveys mentioned earlier. A closer look at these surveys may provide a clearer picture into the validity of each work.

In 1933, Professor Edward K. Strong, Jr., of Stanford University conducted a survey in the ten most Japanese-populated areas of California. The original data presented in his report were based on personal interviews with 9,416 men, women, and children of Japanese ancestry living in California. This randomly selected group, nearly 9.7% of the total Japanese population in California, were asked questions on topics ranging from age, religion, and education to occupation, property value, and income. This study was made possible by a grant of the Carnegie Corporation of New York on October 15, 1929, to Stanford University "in support of a study of educational and occupational opportunities offered to Oriental people in America."<sup>23</sup>

In terms of the validity of his results, Strong declares:

"After working with this material for three years the writer (Strong believes the survey data are quite accurate. Each set of figures agrees surprisingly well, as far as it is possible to check the matter, with other related data. And when it has been possible to compare the information with tabular material from other sources the agreement is highly satisfactory."<sup>24</sup>

Therefore, I must assume, due to lack of more specific data, that Strong's study is accurate.

In addition, in 1947, Professor Leonard Bloom conducted a survey of 303 Japanese families in California following the war. This survey was primarily concerned with the evacuee losses incurred during the internment. One major problem of this study is that it was done mainly in the Los Angeles area, and it took place five years after the initial shock of the evacuation. Thus, some data may not be completely accurate due to people forgetting exact answers to questions of occurrences in 1942. Furthermore, Bloom's survey does not completely encompass the entire state. Nonetheless, the statistics provided are useful as a comparative measure for my predicted income level.

Since occupational distributions of the Japanese in California were readily available and accurate for 1940, the basis for my income prediction model evolves around those statistics. For 1940, the United States Bureau of Census measured and calculated the median incomes for major occupational groups in California.<sup>25</sup> Therefore, the predicted income of the Japanese will be dependent upon those figures. However, before I can continue with the calculation of the Japanese income, I must initially make two explicit assumptions: (1) that the Japanese maintained the same median incomes by occupations as did the overall California population, and (2), although indications of bias are strong, that the resultant figure is indeed an accurate measure of income. (Bias strong due to absence of discrimination factor).

The predicted income model for the



Japanese in California for 1940 is then based upon concrete median income figures by occupation. Thus, the following model will be utilized:

$$PMI = \frac{JC}{1940} = \frac{\sum |MI_A^C \times n \text{ of JA in A}|}{\text{Total JC Employed 1940}}$$

PMI — Predicted Median Income  
JC — Japanese in California  
A — Specific Occupation  
MI<sub>A</sub> — Median Income of Specific Occupation

The predicted income that results from this equation is actually the mean of the median incomes of all occupations. In simpler terms, the result is the average median income for all occupations, or the Predicted Median Income (PMI). (See Table 8)

**TABLE 8**

Calculated Predicted Median Income for Japanese in California: 1940.

Major Occupation Group	B = No. of Japanese	
	A	B (A)+(B)
Professionals and Semiprofessionals	1,282	1,159
Farmers and Farm Managers	57	5,797
Proprietors, Managers	439	4,221
Clerical, Sales	1,254	4,612
Craftsmen	1,278	682
Operatives	1,000	2,720
Domestic Service	568	3,252
Service Workers	728	2,424
Farm Laborers	460	11,666
Laborers	814	3,611
TOTAL	40,144	24,961,852

Predicted Median Income =  $\frac{(A)(B)}{B} = \frac{\$62,200}{40,100} = \$24,961,852$

SOURCE: U.S. Bureau of Census: 1940.

Table 8 provides the step by step process of the calculation of the PMI for the Japanese in California for 1940. I initially multiplied the median income of a specific occupation (column B). Secondly, I added all of these totals together resulting in an aggregate sum of income for the Japanese population. Finally, I divided this aggregate by the total number of Japanese employed in California for 1940. The final resultant figure of approximately \$622.00 is the Predicted Median Income for the Japanese in California for 1940. But before I can assume its validity, I must again return to the findings of the Bloom and Strong surveys.

To test the accuracy of my income prediction equation, we must first compare the PMI with the results of actual surveys. The Strong survey, probably the more precise of the studies mentioned, calculates the median income of Japanese in California during the prewar period to roughly \$650.<sup>26</sup> But because Professor Strong made a more significant attempt to obtain second generation Japanese income statistics, the above median figure is biased in that way. Therefore, if we were to once again consider three important established facts—(1) the preponderance of Japanese farmers in the agricultural sector,<sup>27</sup> (2) the majority of Japanese being first generation,<sup>28</sup> and (3) farmers and farm laborers having the two lowest median incomes of all occupations in California for 1940<sup>29</sup>—we may accurately assume that the actual median income level for the Japanese in California was less than the figure Professor Strong offers. By including first generation Japanese farmers into the Strong study, it would appear that his calculated median income figure would decrease to a level that could be sufficiently compared with my predicted value. (However, not knowing specific income breakdowns of the Issei, it would be impossible to assume a definite number.) In any case, even without the adjustment of the Strong median income, with the addition of first generation farmers, an error factor of 5 percent for my PMI would still allow the predicted value to fall within the range of Professor Strong's median income figure.

In addition, the findings from Professor Blooms' two separate surveys taken in the Los Angeles area immediately after the war produce strikingly similar results. According to Bloom's final conclusions, Japanese Americans attained a per capita

income in 1941 of \$671 (Loss Survey) or \$694 (Terminal Island Survey),<sup>30</sup> depending upon which sample is considered. Although the weaknesses of these studies have already been outlined, they provide a basis for comparison. Since median incomes are most often less than per capita (mean) values,<sup>31</sup> it appears then that the Bloom figures add further credence to my PMI. Hence, it becomes exceedingly evident that my predicted median income for the Japanese in California for 1940 is within close proximity to the actual measure.

Now that I have calculated an approximate predicted median income value for the Japanese, it becomes essential to compare it with other actual values. This comparison allows us to receive the clearest possible picture of the prewar economic status of the Japanese in California.

Table 9 reveals the specific income breakdown of the United States and California populations. In direct comparison, we see that the PMI for the Japanese in California of \$622 is much less than the overall California population's of \$852, and slightly less than the United States figure of \$627. What causes this difference to occur between the Japanese level and the overall level of California, even though the

**TABLE 9**

Income of Population in the Labor Force, United States and California: 1940

Income Level (\$)	U.S.	%	Calif	%
Persons with Income	52,022,614	100.0	2,925,411	100.0
50 - 99	13,003,614	25.0	595,167	20.3
100 - 199	2,597,522	5.0	91,022	3.1
200 - 399	5,273,144	10.1	241,613	8.2
400 - 599	4,542,653	8.7	230,895	7.9
600 - 799	4,666,915	9.0	245,095	8.4
800 - 999	3,658,595	7.0	237,447	8.1
1000 - 1199	3,218,152	6.2	196,791	6.7
1200 - 1399	3,064,564	5.9	223,437	7.6
1400 - 1599	2,386,362	4.6	185,677	6.3
1600 - 1999	2,786,498	5.4	245,411	8.4
2000 - 2499	2,095,224	4.0	188,919	6.4
2500 - 2999	800,712	1.5	63,674	2.2
3000 - 4999	963,345	1.9	73,521	2.5
5000 and over	2,560,688	4.9	28,093	0.9
Median Income	\$627.00		\$852.00	

SOURCE: U.S. Bureau of Census: 1940.

PMI is based on California medians? The answer to that is again centered in the high concentration of Japanese in agriculture.

According to Professor Iwata of Biola College in California:

"The standard of living of the average Japanese farmers was definitely below the American scale. They did not, generally speaking, improve property or build a better class of homes... to an extent, economic factors were responsible for this, but the greatest reason was the shifting and unsettled nature of the Japanese population. The alien land laws, political agitation, and the inability to become naturalized citizens prevented the Japanese from establishing themselves in a community."<sup>32</sup>

Therefore, it appears then that the lesser median income of the Japanese in California was directly attributable to their concentration in the lower-income agricultural sector and to the discrimination they continually faced.

This chapter has presented mainly factual, but some explicitly assumed economic characteristics of the prewar Japanese population of California. These characteristics play an integral role in providing the basis for later comparative analysis with postwar statistics to determine the specific effects of the internment. Although this study is not a historical investigation of the internment itself, it is essential to present some general facts of that tragic period in American life.

The devastating Japanese attack on Pearl Harbor on Dec. 7, 1941, not only changed the lives of all Americans, but set into motion the largest forced migration in United States history.<sup>33</sup>

On Feb. 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066, which (1) designated military areas where military commanders could exclude persons, and (2) authorized the building of "relocation" camps to house those people excluded. By March 2, 1942, General John DeWitt, then commander in charge of the western Defense Area, issued an order to

evacuate all persons of Japanese ancestry (defined as children with as little as 1/8 Japanese blood)<sup>34</sup> from the Western half of the three Pacific Coast States and the southern third of Arizona. More than 110,000 of the 126,000 Japanese in the United States were directly affected by this order. Of this group, nearly 70% were United States citizens and 85% were residents of California.<sup>35</sup> (There were 93,717 Japanese in California in 1942.)

**TABLE 10**

Internment Camps and Capacities

State	Location	Capacity
California:	Manzanar	10,000
	Tule Lake	16,000
Arizona:	Poston	20,000
	Gila River	15,000
Idaho:	Minidoka	10,000
Wyoming:	Heart Mountain	10,000
Colorado:	Granada	8,000
Utah:	Topaz	10,000
Arkansas:	Floerwer	10,000
	Jerome	10,000
TOTAL		119,000

SOURCE: U.S. Department of the Interior, War Relocation Authority.

By Oct. 31, 1942, 110,723 persons had entered various internment camps away from their West Coast homes: 12,892 from Washington, 3,714 from Oregon, 259 from Arizona, and 92,785 from California. An additional 6,393 persons of Japanese ancestry did not enter relocation centers for various reasons; some were released on work furloughs, over 1,000 were confined to institutions, while nearly 5,000 had migrated voluntarily into the interior states.<sup>36</sup>

The primary interest of this study is not found in a complete examination of the various political and social underlinings of the incarceration. Therefore, this brief summarization of the evacuation process has been provided to supply only specific numbers of the people directly affected by this external shock.

Finally, in order to complete the story of Japanese American economic development, it will be necessary to analyze their postwar and present-day situation in California. To what degree did the internment effect their economic growth patterns? Have they succeeded in recovering from this traumatic experience? If so, how did they go about doing this? Thus, armed with a basic knowledge of their prewar economic status, it will not be difficult to draw contrasts, make comparisons, and venture certain generalizations with their postwar economic characteristics.

#### HATAMIYA FOOTNOTES—PART 2

1. Ichihashi, op. cit. pp. 93-94.
2. Ichihashi, op. cit. pp. 97.
3. See U.S. Bureau of Census, Historical Statistics of the United States (Washington, D.C.: U.S. GPO, 1970) series 1: 297-348.
4. Edward K. Strong, Jr., *Japanese in California* (Stanford, Cal.: Stanford Univ. Press, 1952).
5. Bloom and Reimer, *Removal and Return*.
6. For notes and tables for the United States population, see Appendix A.
7. See Chapter 1; also refer to McWilliams, *Prejudice: Japanese Americans: Symbol of Racial Intolerance*, pp. 14-72.
8. Ichihashi, op. cit.
9. *Ibid.*, p. 160.
10. Kitano, op. cit. pp. 15-16.
11. Strong, Jr., op. cit. p. 208.
12. Dorothy Swaine Thomas, *The Salvage* (Berkeley, Cal.: Univ. of Cal. Press, 1952) p. 36.
13. Ichihashi, op. cit. pp. 175-178.
14. *Ibid.*
15. U.S. Census of Agriculture: 1940, Vol. IV, p. 684.
16. Masakazu Iwata, Ph.D. Thesis: "The Effects of the Second World War Upon the Japanese in Agriculture in California," p. 14.
17. *Ibid.*, p. 15.
18. *Ibid.*, p. 16.
19. Masakazu Iwata, "The Japanese Immigrants in California Agriculture," *Agricultural History*, XXXVI (1962) pp. 25-37.
20. Iwata, Ph.D. Thesis, op. cit. p. 17, citing U.S. Congress, National Defense Migration, Fourth Interim Report of the Select Committee (H.R. 2124), 77th Congress, 2nd Session, May 1942 (Washington, D.C., 1942).
21. Refer to Chapter 1, p. 4.
22. Kitano, op. cit. p. 23.
23. Strong, op. cit.
24. *Ibid.*, p. 31.
25. U.S. Census of Population: 1940, Vol. III, *The Labor Force*, pt. 2, California, pp. 278-80, table 16.
26. Strong, op. cit. p. 314.
27. Refer to Table 4 and Table 6.
28. Refer to Table 5.
29. Median Income, farmers=\$57; Median Income, farm laborers=\$460. See also Table 8.
30. Bloom and Reimer, op. cit. p. 21.
31. U.S. Census of the Population: 1940, Vol. III, *The Labor Force*, pt. 1, p. xii.
32. Iwata, op. cit. p. 20.
33. Thomas, op. cit. p. 99.
34. U.S. Army, *Western Defense Command and Fourth Army, Bulletin 1*, March 17, 1942, *Enemy Aliens and Japanese Citizens on the West Coast*.
35. U.S. Army, *Western Defense Command and Fourth Army, Final Report, Japanese Evacuation from the West Coast*, (Washington, D.C., 1943), p. 362.

## III Statistical Analysis of Changes in the Economic Characteristics of Japanese in California: 1940-1970

The discussion of the impact of the evacuation on Japanese Americans has principally been historical and sociological up to this time. No one can argue that the evacuation was undoubtedly the most serious and dramatic governmental manipulation to which an American ethnic population has been subjected to in recent history. It also seems to be the consensus that the Japanese were almost an ideal target for attack; they were small in numbers, localized, racially "invisible," and identified with the enemy. Discrimination had often taken the form of legislative action and continual bureaucratic harassment. In any case, a combination of the peculiar circumstances of the war and the conditions described above resulted in an all-out assault on the economic status of the Japanese in California during the 1940s.

Therefore, this section will concentrate its efforts on analyzing the specific changes that have occurred in the Japanese economic position due to the disruption of their lifestyles in 1942. The decennial measurement of the population by the United States Bureau of Census provides an ideal delineation of time periods from which to take comparative analyses of specific deviations in the measured economic characteristics. In addition, the exclusive use of U.S. Census data from 1950, 1960, and 1970 allows for accurate and factual conclusions to be explicitly drawn.

Consequently, this chapter will document the specific changes in the economic characteristics of the Japanese in California since 1940, as well as determine the reasons for those changes through direct statistical analysis. Using data from the 1950, 1960 and 1970 Censuses will enable me to closely examine the progression (or degeneration) of the economic development of the entire United States and California versus the development of the Japanese population of that state. Since we must assume that the forced evacuation had some effect upon the Japanese, I will also attempt to conjecture what their economic status might have been without this wartime trauma.

Nevertheless, all of the above will be accomplished with the use of three distinct methods. First, I will compare and contrast median income ratios and differentials of the entire U.S. and California populations versus the Japanese population for successive Census years. Assuming that income is a function of a person's occupation, education, age, and employment status, a closer examination of these specific characteristics will help explain the ratios and differentials observed in this study.

Second, I will estimate cross-tabulations of age by occupation and age by education for the Japanese in California for 1940 and 1960. This will be done with the use of iterative scaling techniques. (These will be explained in more detail later.) This procedure will permit me to compare age cohorts over time, which will reveal more detailed effects of the internment. (i.e., compare the economic status of 25-44 year olds in 1940 to their relative adjustments as 45-64 year olds in 1960.)

Finally, I shall ambitiously attempt to predict the economic status of the Japanese in California had they not been interned during World War II. This will be achieved



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by establishing the economic development pattern of a similar "control" group, the Chinese in California, over the same thirty year period (1940-1970). This method is based upon the explicit assumption that the Chinese experienced the same discriminatory forces, except for the internment, as did the Japanese in California over the same period. Although there are basic underlying differences between the two groups, the general changes in the economic characteristics of the Chinese from 1940 to 1970 (caused by normal discriminatory factors other than the internment effect) will provide the foundation for my prediction.

All in all, this chapter will depend upon available statistics to draw eventual conclusions. However, when data is incomplete or unavailable, explicit assumptions or inferences, based upon other existing materials will be utilized to furnish some picture of the expressed situation.

The first method of analysis to be used is derived from Table 11.

**TABLE 11**

Median Income Ratios of Japanese in California to California and United States Populations: 1940-70

Year	(1) U.S.	(2) Calif.	(3) J/Ca.	(4) R/US	(5) R/Ca
1940	\$ 627	\$ 852	\$ 622	0.99	0.73
1950	\$1,936	\$3,021	\$1,800	0.93	0.59
1960	\$2,912	\$3,451	\$3,401	1.17	0.98
1970	\$4,554	\$4,729	\$5,217	1.14	1.10

SOURCE: U.S. Bureau of Census: 1940-1970

Table 11 calculates the median income ratios of the Japanese in California to the United States and California populations. The ratios appear to initially indicate that some significant changes have occurred between 1940 and 1970.

Looking more closely at Columns 4 and 5, we see that the ratios decrease in 1940 and 1950. There could be many explanations for this decline, but the most obvious and immediate appears to be a short-term detrimental effect caused by the evacuation and incarceration of the 1940s. Continuing our examination, it then appears that in the next two decades from 1950 to 1970, the ratios increase dramatically. Why did these changes occur? Why did they initially decrease, then subsequently increase? Were these changes caused by the internment shock of 1940? If so, what type of effects did it leave on the Japanese? These and other questions may be answered with a more thorough analysis of the underlying economic characteristics.

Before we begin examining any specific changes, we must return to our basic income function:

$$\text{Income} = f(\text{Occupation, education, age, employment status})$$

Assuming that income is a function of occupation, education, age, and employment status, we then can believe that the shifts in the income ratios of Table 11 were caused directly by changes in the above prescribed characteristics. Therefore, this analysis will examine only these economic criteria.

The period immediately following the war and measured by the 1950 Census seems the most appropriate starting point for my analysis. The postwar decline in income ratios for the Japanese in California indicates that their return to the West Coast was not an initially prosperous one. Table 12 reveals the Japanese population in California and the United States in the periods following the war.

**TABLE 12**

Population of United States, California and Japanese by Proportion: 1940-70

Area	1940	%	1950	%	1960	%	1970*	%
U.S.	131,669,225	100	150,216,110	100	179,323,175	100	203,211,926	100
*Japanese	126,948	0.1	141,365	0.1	473,170	0.3	588,324	0.3
Calif.	6,907,387	100	10,586,223	100	15,720,860	100	19,953,134	100
Japanese	93,717	1.3	84,792	0.8	159,545	1.0	213,277	1.1

SOURCE: Calculated from United States Bureau of Census, Historical Statistics of the United States, 1970.

As can be seen in Table 12, the Japanese remained an insignificant group in numbers in the United States. The evacuation of the 1940s appears to have led to a 9.5% decrease in the Japanese population of California. Before we can determine what specifically affected the income ratios, it is important to understand the postwar relocation and decrease in population.

Part of the explanation for the postwar decrease of Japanese in California was the fear of returning to the area which had excluded them. Many Japanese remained in the Midwest or in the East, rather than face the wrath of a state that had historically mistreated them.<sup>2</sup> In addition:

"This (wartime and postwar) was a period of tremendous migration to the West Coast, the most rapid population increase up to this point in its history. War workers were pouring into California. . . In 1944, a total of 1,113,874 persons arrived, as compared with 60,000 American Japanese expected in 1945. Moreover, the greatest influx occurred in areas of the greatest prewar Japanese concentration which tripled their population. Los Angeles County in particular grew rapidly."<sup>3</sup>

Thus, the influx of people into areas of California in which the Japanese had previously lived, played a role in the decline of their population in the postwar period. The Japanese had lost homes, businesses, and property that could never be recovered. Many Japanese families were ruined economically,<sup>4</sup> and some were left with nowhere to go.

However, by 1950, roughly 85,000 persons of Japanese ancestry had returned to their California homes. Economic considerations help to explain the behavior of the Japanese. Most were poor, so that the financial risk of resettling and re-establishing themselves in other parts of the country were too overwhelming. Further, the economic structure of the Japanese community—low pay, small business, and high interdependence within this system meant that very few Japanese could immediately move out or into non-Japanese systems easily.<sup>4</sup> California had been their home; thus, if they had to start over, the familiar setting of the state made things somewhat easier.

A closer look at the postwar occupational structure of the Japanese who returned to California, should provide a clearer picture for analysis.

The Japanese returning to California after the war seem to have adjusted their occupational structure significantly from its prewar status. Table 13 reveals that major

**TABLE 13**

Occupational Distributions of United States, California and Japanese in California: 1940-50 and Percent Changes

Occupation	United States			California			JA in Calif.		
	1940	1950	%	1940	1950	%	1940	1950	%
Professionals	7.4	8.7	+1.3	9.6	11.1	+1.5	2.9	4.7	+1.8
Farmers	11.4	7.7	-3.7	4.0	2.8	-1.2	14.3	12.2	-2.1
*Proprietors	8.3	8.8	+0.5	11.2	11.3	+0.1	10.4	6.7	-3.7
Clerical, Sales	16.6	19.3	+2.7	20.7	22.7	+2.0	11.4	14.5	+3.1
Craftsmen	11.2	13.8	+2.6	12.8	15.2	+2.4	1.7	3.6	+1.9
Operatives	18.3	19.8	+1.5	15.2	15.3	-0.1	6.7	10.7	+4.0
Domestic	4.7	2.6	-2.1	3.5	2.1	-1.4	8.0	8.0	0
Service	6.1	7.6	+1.5	8.0	8.8	+0.8	6.0	5.6	-0.4
Farm Laborers	6.8	4.3	-2.5	5.6	3.9	-1.7	28.9	20.7	-8.2
Laborers, exc. farm	6.8	6.0	-0.8	6.0	5.6	-0.4	8.9	12.0	+3.0
Involved in Agriculture	18.2	12.0	-6.2	9.6	6.3	-3.3	43.2	32.9	-10.3

SOURCE: U.S. Bureau of Census: 1940-1950.

changes occurred in specific occupations—the largest decreases occurring in farm laborers, proprietors, and farmers, and the largest increases occurring in operatives, clerical and sales workers, and laborers. But more importantly, what caused the income ratio to decline between 1940 and 1950? A further breakdown of occupations by their income levels may provide the answer.

**TABLE 14**

Occupations by Median Income for California: 1940-1950

Occupational group	MI/1940 (Rank)	MI/1950 (Rank)
Professionals	\$1282 (1)	\$3413 (1)
Farmers	57 (10)	1800 (8)
Proprietors	439 (9)	3738 (2)
Clerical, Sales	1254 (3)	2502 (5)
Craftsmen	1278 (2)	3378 (3)
Operatives	1000 (4)	2556 (4)
Domestic Service	568 (7)	771 (10)
Service	728 (6)	1893 (7)
Farm Laborers	460 (8)	1199 (9)
Laborers, exc. farm	814 (5)	2284 (6)

SOURCE: U.S. Bureau of Census: 1940 and 1950.

**TABLE 15**

Occupational Breakdown by Income Levels and California and Japanese Population Distribution in Each: 1940-1970

Occupation by Income Levels	Calif.	J in Ca.
1940 HIGH:		
Professionals	9.6	2.9
Craftsmen	12.8	1.7
Clerical, Sales	20.7	11.4
Operatives	1.52	6.7
Laborers	6.0	8.9
	64.3	31.6
LOW:		
Service	8.0	6.0
Domestic	3.5	8.0
Farm Laborers	5.6	28.9
Proprietors	11.2	10.4
Farmers	4.0	14.3
	32.3	67.6
1950 HIGH:		
Professionals	11.1	4.7
Proprietors	11.3	6.7
Craftsmen	15.2	3.6
Operatives	15.3	10.7
Clerical, Sales	22.7	14.5
	75.6	40.2
LOW:		
Laborers	5.6	12.0
Service	8.8	5.6
Farmers	2.8	12.2
Farm Laborers	3.9	20.7
Domestic	2.0	8.0
	23.2	58.5

SOURCE: Calculated from figures derived from Tables 13 and 14 (percentages may not add up to 100% due to the omission of occupations not reported.)

If we regard the postwar period up to 1950 as a recovery period for the Japanese, it appears from Table 15 that their occupational changes had only a slight effect upon income attainment. Table 15 indicates that the California population had shifted its 64.3% of the labor force worked in the five highest income occupations in 1940, whereas by 1950, it had increased to 75.6% for the top five. In direct contrast, the majority of the Japanese remained in the five lowest income occupations by 1950—67.6% of the Japanese in California worked in the five lowest income occupations in 1940, and by 1950, this had only decreased to 58.5%. Nevertheless, despite the

occupational shifts of the Japanese in California, the changes were not significant enough to increase their relative income status. The income ratio decline is partially explained in this analysis; however, other aspects of Japanese economic status must be inspected before a conclusion can be reached.

First, it must be remembered that the Japanese were starting completely over in a locality that offered them limited opportunities. By 1950, only four years after the last internees had left the camps, the Japanese in California were not able to fully establish themselves once again. The emotional and physical trauma of the internment years could not be healed in only four short years:

"The Japanese Americans were victims of a pointless, cruel injustice. Aided in their rehabilitations by only a few individuals and impecunious organizations, they had in fact to depend essentially on themselves to survive through the camp period, to establish a record of unmistakable loyalty to the United States, and to find their way back to normal life."<sup>5</sup>

Therefore, although occupational changes had been made, the effects of the internment were still very evident in their economic development.

To further explain the income ratio decline, it now may be productive to investigate the degree of discrimination that the Japanese faced when returning to California. A good measure of why income differentials exist is one's level of education. The educational attainment of the Japanese in California is then a good base from which to work.

**TABLE 16**

Median School Years (ME) Completed, for United States, California, and Japanese in California, of Persons 25 and Over: 1940-70

Year	(1) U.S.	(2) Calif.	(3) J/Ca.	(4) R/US	(5) R/Ca
1940	8.6	9.9	8.6	1.00	0.87
1950	9.3	11.6	12.1	1.30	1.04
1960	10.6	12.1	12.4	1.17	1.02
1970	12.1	12.4	12.6	1.04	1.02

SOURCE: U.S. Bureau of Census: 1940-1970

**TABLE 17**

Japanese Population by Age, for California: 1940-1970

Ages	1940	%	1950	%	1960	%	1970	%
Total	93,717,100.0		84,792,100.0		159,445,100.0		213,277,100.0	
Under 14	23,887	25.5	20,712	24.4	47,672	29.9	52,161	24.4
15-24	26,823	28.6	15,132	17.8	20,343	12.7	34,743	16.3
25-34	10,475	11.2	9563	11.3	33,100	20.7	30,995	14.5
35-44	11,294	12.0	7619	9.0	28,603	17.9	39,320	18.4
45-54	9486	10.1	8196	9.7	10,145	6.3	30,412	14.2
55-64	8465	9.0	7096	8.4	9511	6.0	10,565	4.9
65-74	2007	2.1	5340	6.3	6606	4.1	8959	4.2
75-older	188	0.2	1134	1.3	3535	2.2	6122	2.9
Median	22.7		27.5		28.9		31.3	
Male	52,550	56	45,536	53.7	79,750	50	100,204	47
Female	41,167	44	39,256	46.3	79,795	50	113,073	53

SOURCE: U.S. Bureau of Census: 1940-1970

**TABLE 18**

Occupational Distributions of United States, California and Japanese in California: 1960-1970

Occupation	United States			California			JA in Calif.		
	1960	1970	%	1960	1970	%	1960	1970	%
Professionals	10.8	13.7	+2.9	13.7	17.4	+3.7	13.2	20.1	+6.9
Farmers	3.7	1.7	-2.0	1.5	0.6	-0.9	14.6	3.0	-11.6
Prop., Managers	8.1	7.7	-0.4	9.5	9.3	-0.2	6.0	7.3	+1.3
Clerical, Sales	21.2	23.4	+2.2	24.0	27.7	+3.7	21.5	27.1	+5.6
Craftsmen	13.6	12.9	-0.7	13.9	12.9	-1.0	6.9	9.5	+2.6
Operatives	18.9	16.6	-2.3	14.8	13.7	-1.1	11.8	11.2	-0.6
Domestic	2.7	1.4	-1.3	2.1	1.2	-0.9	4.9	2.7	-2.2
Service	8.5	10.5	+2.0	8.3	11.4	+3.1	4.7	8.4	+3.7
Farm Laborers	2.3	1.2	-1.1	2.4	1.5	-0.9	8.4	2.3	-6.1
Laborers	5.2	4.4	-0.8	4.3	4.1	-0.2	4.0	8.4	+4.4
& in Agriculture	6.0	2.9	-3.1	3.9	2.1	-1.8	23.0	5.3	-17.7

SOURCE: U.S. Bureau of Census: 1960-1970.



Table 16 indicates that the Japanese had surpassed the overall population in education by 1950. They had attained an unbelievable 3.5 year increase in their median school years completed from 1940 to 1950. (An explanation for this increase will be furnished in later detail). However, as already shown in Table 11, their income remained relatively below that of the overall population.

In any event, some factor existed in the postwar period in California that affected the Japanese income status. According to Gary Becker of the University of Chicago:

"Evidence clearly shows that discrimination is greater against older and better educated non-whites. This greater discrimination may reflect, at least partly, a positive connection between discrimination and occupation, since older and better-educated non-whites have higher and more responsible occupational positions."<sup>5</sup>

Thus, discrimination was an important factor in the initial decline of relative income of the Japanese in California. By 1960, the prewar stigma of discrimination in California still lingered as the data reveals. Although the Japanese surpassed the overall population in educational achievement, the effects of this increase could not yet be measured in 1950.

Nevertheless, this initial postwar development of the Japanese in California reflects only the immediate effects of the internment. It is now essential to examine the longer term effects, which produce the increasing income ratios from 1950 to 1970.

Again referring back to Table 11, we see that by 1960 almost no income differential exists between the Japanese in California and the overall populations of the United States and California. In less than twenty years from the occurrence of their external shock, they had attained economic equality (on the basis of income) with the entire population. More significantly, they had surpassed and overcome the nightmare of the 1940s. It is again important to evaluate the changes in their economic criterion to understand fully the achievement they have accomplished. For an initial analysis, let's look once again at their occupational distributions through 1970.

Table 13 through 15 have provided us with the immediate postwar changes and a sense of things to come. The Japanese had primarily been an agrarian dominated group from their arrival to this county until their evacuation in 1942. However, Table 15 reveals that by 1950, their agricultural status was beginning to decline. Although 32.9% still remained in agriculture by 1950, this was a matter of necessity, since that was primarily all they had known up to this time. In certain areas of California, many farmers retained the rights to their former lands.<sup>7</sup>

In 1950, there were a total of 2,603 farms operated by Japanese in California with land acreage of approximately 103,000.<sup>8</sup> This is compared to the earlier mentioned figure of 1940, or 5,135 farms with a total of 258,074 acres. These figures would indicate that after five years from the time of their return, the Japanese had regained nearly 50% of their prewar agricultural status.

In addition, there occurred a substantial shift in the ratio of farm-owner to tenant. As explained earlier, 70 percent of the Japanese farmers in California had been tenants prior to the war; but by 1950, only 37.5 percent were renting or leasing their land.<sup>9</sup> Therefore, it appears since the majority of the evacuees did not have the capital with which to rent and equip a farm, the farmers that continued were the ones who were lucky enough to own their land. The decline in farming from 1940 to 1950 comes from the decrease in tenant farmers. Further data will show that the continued decrease in the agricultural class played a significant role in the overall occupational distribution. The people leaving agriculture had to enter new areas of employment.

**Ironically, the wartime evacuation played a major part in changing the kinds of jobs the Japanese expected to get and the kind of jobs they in fact got.** According to Professor Kitano:

"In the evacuation center, a whole range of occupations was open to them that had never been available before. For the first time, with their race no longer a factor in competition, (the Japanese) were able to fill every job a community required. Japanese competed against other Japanese, so that education, training, and ability determined success."<sup>10</sup>

Additionally, the most important ingredient gained from these jobs experiences was confidence.<sup>11</sup> The Japanese realized that they could succeed in more varied and important jobs, then just in agriculture.

However, before occupational changes are further analyzed, it is important to realize the demographic make-up of the postwar. As established in Chapter II, the prewar population was separated into an older foreign-born element and a much younger native-born group; yet the overall Japanese population was young with a median age of 22.7 years. Table 17 reveals the progression of that median.

From Table 17, we see that the demograph of Japanese population has changed substantially since 1940. The median age has progressively increased from 22.7 years in 1940 to 31.3 years in 1970. This increase can be directly attributed to the large age gap between the first and second generation Japanese Americans:

"The gap between Issei (first generation) and Nisei (second generation) was large. In 1942, when the median ages of Issei males and females on the mainland were, respectively 55 and 47, the Nisei had a median age of only 17 years... Because the immigration had been set largely by political controls, a whole generation was skipped: in their age, and thus in their outlook and authority, Issei fathers were more like grandfathers."<sup>12</sup>

The increase in median ages then can be attributed to the progressive aging of the second generation. These Nisei were the backbone of the postwar economic status of the Japanese in California.

Thus, as this group acquired legal maturity and the Issei passed away, the economic characteristics of the 1960s and 1970s generally reflect the changes occurring in the younger generations.

It is also interesting to note that the Japanese population has shifted dramatically from a male dominant group (see Chapter I) to a female dominant group. In 1940, the population was 56% male; but by 1970, it had almost completely reversed itself, as 53% of the total was female.

Keeping the above demographic changes in mind, it is now appropriate to once again analyze the specific economic characteristics that are assumed to determine income. The occupational distributions are constructed in Table 18; they indicate a significant shift from the 1940 and 1950 data given in Table 13. Tables 19 and 20 will be similar to Tables 14 and 15, but they will contain statistics from the 1960 to 1970 censuses.

Looking first at Table 18, we can immediately see that some dramatic changes have occurred in the Japanese occupational structure. If we compare the data from Table 13, it is exceedingly apparent that the Japanese have shifted completely out of their once agricultural dominated background. By 1960, the number involved in agricultural related activities had decreased to 23.0% of the total labor force, still a much larger proportion than the overall United States and California employed, but a significant decline from their prewar status. However, by 1970 the proportion had dropped to only 5.3% of the labor force—a 17.7% relative decrease of an actual 211% decrease in numbers from 1960. This compares with only a 1.8% relative or 37% actual decrease for the California population over the same 1960-70 period.

**TABLE 19**

Occupations by Median Income for California: 1960-1970		
Occupational group	MI/1960 (Rank)	MI/1970 (Rank)
Professionals	\$7403 (2)	\$12,237 (1)
Farmers	3991 (6)	5561 (8)
Proprietors	7606 (1)	12,101 (2)
Clerical, Sales	5405 (4)	8536 (4)
Craftsmen	6033 (3)	9034 (3)
Operatives	5062 (5)	7863 (5)
Domestic Service	1230 (10)	3549 (10)
Service	3981 (7)	6857 (6)
Farm Laborers	1932 (9)	4147 (9)
Laborers, exc. Farm	3826 (8)	6646 (7)

SOURCE: U.S. Bureau of Census: 1960-1970.

**TABLE 20**

Occupational Breakdown by Income Levels and California and Japanese Population Distribution in Each: 1960-1970		
Occupation by Income Levels	Calif.	% in Ca.
1960 HIGH:		
Proprietors	9.5	6.0
Professionals	13.7	13.2
Craftsman	13.9	6.9
Clerical, Sales	24.0	21.5
Operatives	14.8	11.8
	75.9	59.4
LOW:		
Farmers	1.5	14.6
Service	8.3	4.7
Laborers	4.3	4.0
Farm Laborers	2.4	8.4
Domestic	2.1	4.9
	18.6	36.6
1970 HIGH:		
Professionals	17.4	20.1
Proprietors	9.3	7.3
Craftsmen	12.9	9.5
Clerical, Sales	27.7	27.1
Operatives	13.7	11.2
	81.0	75.2
LOW:		
Service	11.4	8.4
Laborers	4.1	8.4
Farmers	0.6	3.0
Farm Laborers	1.5	2.3
Domestic	1.2	2.7
	18.8	24.8

SOURCE: Calculated from Tables 18 and 19.

All in all, this accelerated movement out of the agricultural sector appears to be a direct effect of the wartime internment experience. The evacuation, seen as the culmination of numerous discriminatory measures in California (i.e. Alien Land Laws, Exclusion Act, forced the Japanese to reevaluate their economic status in California. As my data reveal, the Japanese quickly adjusted themselves to new occupational roles by 1960 and 1970. Before I examine the occupational changes any further, it is appropriate to mention the development of an occupational strategy in the Japanese economic pattern.

Once again referring to Professor Harry Kitano of UCLA, he contends:

"The Japanese have never directly striven for occupational mobility and expanded job opportunities. They have instead used an adaptive process—education, training, and patience, low expectations, hard work, and more patience, until opportunities were available. Then a legion of already trained and qualified people poured in to meet the opportunities. Such a "strategy" depends, of course, upon having a well-trained and patient labor force that has alternative opportunities during the waiting period. The Japanese emphasis on higher education, the use of jobs in the ethnic system have served them well in this way... however, the process of waiting and adapting was less "planned" than "forced" by the realities of the Japanese position."<sup>13</sup>

This labor "strategy" formulated (sic) by Professor Kitano underlies the statistical changes I have so far noted. Also, alluding back to Table 11, the fluctuating income ratios between 1940 and 1970 seem to be partially explained by this behavior. The immediate postwar drop of relative Japanese incomes through 1950 represents the waiting period described by Kitano. Therefore, as opportunities opened up to the

Japanese in the 1950s and 1960s they were able to quickly take advantage of the more preferable situations.

This scheme of adaptation is clearly evident in the adjustments made in the Japanese occupational distribution. Table 20 shows the significant changes occurring in the occupational structure since 1950—the Japanese in California had accomplished a complete reversal in their occupational decisions. By 1960, 59.4% of the employed Japanese were working in the five highest income occupation (which compares with only 40.2% in 1950); in 1970, this figure had reached an impressive 75.2%—not a bad accomplishment for a group that had been forced out of the state only 25 years earlier. In direct contrast, the overall California population had remained relatively stable in their occupational decisions; they experienced a gradual increase in the top five income occupations, but nothing to compare with the Japanese level in the same period. A closer examination of major changes within a specific occupation group will better explain the rising income level of the Japanese in California.

In 1940, only 2.9% were employed as professionals; but by 1970, 20.1% were part of this occupational group. Similarly, only 11.4% were involved in clerical or sales work in 1940, whereas in 1970, 27.1% of the Japanese labor force were classified as such. I could go on and on with comparable examples, but the point should now be clear—that the Japanese in California had shifted into higher income occupations. The gigantic shift into the professional area, (which over time has been the highest income occupation), explains the elimination of income differentials between the Japanese and overall population in California.

The question still remains: "How did the Japanese accomplish these changes in only 25 years?" This will be answered in the next step of my analysis of this problem. By constructing cross-tabulations of age by occupation and age by education for the Japanese in California for 1940 and 1960, I will be able to examine more specifically the effects of the internment on a certain age group.

Although two-way distributions exist for the Japanese in California for 1960, similar measures of age by occupation and age by education do not for 1940. Therefore, the 1940 distributions must be estimated for use in my comparative analysis. Since one-way distributions exist in the 1940 Census for age, occupation, and education for the Japanese in California, these measures will be used as the basic constraints to be established.

This estimation of cross-tabulations has been obtained with the use of iterative scaling programs devised by the Harvard University Department of City and Regional Planning. With the expert help of Associate Professor Gary Fauth, I have been able to compute the cross-tabulations for the Japanese for 1940.

The following example will provide a more precise explanation of the iterative scaling process:

"The creation of a single, integrated data base from two or more separate data bases represents a heretofore overlooked extension of existing statistical procedures. Assume for example, that agency A develops estimates of a number of dwelling units in a particular geographical area according to some variable, VAR. 1. Similarly, a second agency might generate information which permits the tabulation of these same dwelling units by another variable VAR. 2. Assuming that the two variables are independent, it is a simple matter to estimate the joint distribution of units by VAR. 1 and VAR. 2... In any event, by specifying the relationship between the information obtained from the two available data sets, it is possible to combine the information into a single cross-tabulation of dwelling units in the area."<sup>14</sup>

In the above example, if VAR. 1 and VAR. 2 replaced by age and occupation or age and



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education, it would represent my estimation. However, before I present the computed distributions, I must specify the relationship of the two data sets (Age-occupation or Age-education) with which I am basing my estimate. Since I am not assuming conditional equal probability, the estimated table must be dependent upon an existing table. The base tables to be used are the joint-distributions of age by occupation and age by education of the California population for 1940.<sup>15</sup> Therefore, I am explicitly assuming that the joint-distributions of age by occupation and age by education for the Japanese in California are similar to those of the overall state population. Without further data, this assumption must be accepted.

In any case, the following four Tables will provide a clear picture of the iterative scaling process taking place.

**TABLE 21A**

California Population, Age by Occupation, 15-54 Years: 1940, (Base Table)

Occupations	15-24	25-44	45-54	Totals
Professionals	23,233	137,108	47,062	207,403
Farmers	4,047	31,324	27,249	62,620
Managers	9,365	134,242	77,624	221,231
Clerical, Sales	107,165	286,600	79,191	472,956
Craftsmen	31,137	168,945	72,181	272,263
Operatives	70,933	220,160	58,930	350,023
Domestic	16,605	33,772	17,546	67,923
Service	33,748	98,796	39,765	172,309
Farm Laborers	34,740	69,249	21,414	125,403
Laborers	27,369	74,780	26,877	129,026
Totals	360,342	1,254,930	467,893	2,083,110

SOURCE: U.S. Bureau of Census: 1940.

**TABLE 21B**

Japanese in California, Age by Occupation, 15-54 Years, by Percentage: 1940 (Generated Table)  
(C) = Row Constraint

Occupations	15-24	25-44	45-54	(C)
Professionals	0.95%	1.42%	0.51%	2.89
Farmers	3.4	5.94	5.46	14.43
Managers	1.54	5.57	3.40	10.51
Clerical, Sales	6.14	4.14	1.21	11.49
Craftsmen	.57	.78	.35	1.70
Operatives	3.38	2.64	.75	6.77
Domestic	4.74	2.17	1.19	8.10
Service	2.94	2.17	.92	6.04
Farm Laborers	17.43	8.77	2.87	29.07
Laborers	4.61	3.18	1.21	8.99
Constraint	45.33	36.79	17.88	100.00

SOURCE: Generated with Iterative Scaling of Table 21A.

Table 21A presents the base table figures of age by occupation for the California population. Because of measurement limitations in the 1940 U.S. Census and for matters of simplicity, I have only taken the age group between 15 and 54 years by all the major occupation groups for this analysis. Assuming that the Japanese distribution is dependent on the California cross-tabulation, Table 21B is generated by using the Japanese age and occupation distribution as constraints. By implementing Table 21A into the computer, then supplying the actual Japanese occupational distributions as row targets, and their age distributions as column targets, the iterative scaling programs takes over and generates Table 21B.

Using Table 21A as a base, the iterative scaling process estimates the corresponding values for Table 21B and add up to the row and column targets. In simpler terms, the generated values in Table 21B are dependent on the values of Table 21A; however, they differ in that they are constrained to add up to the Japanese distributions and not the California proportions of Table 21A.<sup>16</sup>

**TABLE 22A**

California Population, Age by School Years Completed, 25-64 Years: 1940 (Base Table)

School Years Completed	25-44	45-54	55-64	Totals
None	28,873	30,049	26,007	84,929
Grade School:				
1-4	80,330	63,382	52,217	195,929
5-6	108,743	76,066	62,414	247,223
7-8	589,704	313,682	246,686	1,150,070
High School:				
1-3	496,873	142,793	86,387	726,053
4	615,631	167,367	106,960	889,958
College:				
1-3	233,102	67,166	40,761	341,029
4 or more	174,924	58,081	36,569	269,574
Totals	2,328,180	918,586	658,001	3,904,770

SOURCE: U.S. Bureau of Census: 1940.

**TABLE 22B**

Japanese in California, Age by School Years Completed, 25-64 Years, By Percentage (Generated Table)

School Years Completed	25-44	45-54	55-64	Totals
None	2.35%	2.66%	2.46%	7.48
Grade School:				
1-4	3.25	2.78	2.45	8.49
5-6	4.10	3.11	2.73	9.94
7-8	14.67	8.47	7.13	30.27
High School:				
1-3	7.96	2.48	1.61	12.05
4	15.53	4.58	3.13	23.24
College:				
1-3	2.79	.87	.57	4.23
4 or more	2.69	.97	.65	4.31
Totals	53.34	25.92	20.74	100.00

SOURCE: Generated with Iterative Scaling of Table 22A.

In any event, the analysis of these generated tables are much less complex and easy to follow than their calculation. Table 22A and 22B follow in the same iterative sequence as the other tables, but these table represent the cross-tabulations of age by school years completed. However, the age group measurement differs (25-64 years) because of the Census measure of only the population 25 and older for school years completed.

Now that I have constructed cross-tabulation estimates for the Japanese in California for 1950, I will be able to analyze the specific effects of the incarceration on definite age groups and to see if people of different ages were affected in varying ways.

To begin with, I will examine the changes occurring in occupations of the 15-24 years olds and 25-44 years olds in 1940. By 1960, these age groups would be represented by the 35-44 and 45-64 year old age groups. Therefore, Table 23 reveals the occupational shifts of these groups after the passage of twenty years. Comparing Table 21B and Table 23, we see that some dramatic changes have occurred in the occupational distributions. Looking first at the 25-44 year-olds in 1940, we see that only slight changes have occurred with their aging of twenty years. Many of this age group had remained in farming and other prewar occupations such as domestic, clerical and managerial work. Thus, we can assume that many of these "middle-age" Japanese in 1960, had remained in their basic prewar occupations.

However, assuming that the 15-24 year old group was primarily native-born, second-generation Japanese, we must believe that in 1940, not many of them had fully entered the labor force.<sup>17</sup> Therefore, it most evidently appears that the great change in occupational structure of the Japanese in California occurred in the growing second generation. By 1960, this 15-24 year old group had swiftly become professionals, operatives, and managers as 35-44 year olds. Consequently, they had moved out of the agricultural sector into the higher income occupations. Thus, the narrowing of the income differentials between the Japanese and the overall population can be credited to the growth and development of the Nisei.

Referring back to Table 22B, we see that a trend was in the making by 1940. The younger Japanese were attaining higher levels of education than their older members. The median school years completed calculated from Table 22B are 8.9 years for 21-44 year olds; 7.4 years for 45-54 year olds; and 7.0 years for 55-64 year olds. This holds true with my theory that the greatest increase in education came in the younger Japanese. (See Table 16 for progressively increasing school medians.)

According to Professor William Petersen of Ohio State University:

"The main key to material success in the United States is education. Since 1940, Japanese have had more schooling than any other race in the American population including whites. (see figure 2), note the position of "nonwhites"—virtually the same as that of Negroes, but a gross distortion of the level of other subnations included in that artificial category... Japanese of both sexes ranked highest. By 1960, almost 7 out of 10 Japanese of either sex had at least a high school diploma, and a high proportion went off to college."<sup>18</sup>

The Japanese in California have taken full advantage of their educational opportunities. As noted earlier, education and patience allowed this group to surpass their once limited economic opportunities. Table 24 reveals the further increasing amount of education by 1960.

If we were to compare the 25-44 year olds of Table 22B (1940) and the corresponding 45-60 year olds of 1960, we see that this group has increased its median education by nearly 2.5 years. This increase can be directly attributed to the wartime evacuation; since this group was forced to adjust their prewar lifestyles, many went back to school.<sup>19</sup>

Nevertheless, the preceding analysis clearly establish the fact that the Japanese in California progressed rapidly in their economic pursuits following the internment. This economic development was accomplished basically with increased education, shifts into higher income occupations, a unique labor "strategy," and most importantly, the maturation of the Nisei. The evacuation forced Japanese out of agriculture and into other occupations. Although these shifts were not immediate, as seen in the postwar decline of their relative income, they occurred with great adaptation of lifestyles.

Finally, the question arises—How would the Japanese have done without the internment experience? It is hard to establish a completely accurate prediction, but it may be interesting to base one on the development of a similar group in the same geographic area. Assuming that they were constrained by identical economic and discriminatory pressures as the Japanese,<sup>20</sup> the Chinese in California are an excellent group to analyze.

Before I continue, it is important to evaluate the Chinese economic situation from 1940 to 1970.<sup>21</sup> The Chinese had been legally excluded from the United States since 1882, thus their numbers are much less involved in agriculture; only 7.4% were in farming in 1940, as compared to 43.2% for the Japanese.

In any case if we just analyze the general changes occurring in the Chinese economic development from 1940 to 1970, we can synthesize a prediction based upon these variations. In 1940, the Chinese attained a higher level of median income than did the Japanese, owing in part to their different occupational structure; based on my income prediction model of Chapter II, the Chinese predicted median income for 1940 was roughly \$872, compared to \$622 for the Japanese. However, by 1970, the Chinese median income had only reached \$3,879, compared to \$5,217 for Japanese. Constructing income ratios, we see that the actual Japanese increase clearly surpassed the Chinese increase.

$$\frac{MI_{70}^C}{MI_{40}^C} = \frac{5217}{622} = 8.39$$

In addition, although the Chinese had made a significant increase in professional workers, from 3.6% in 1940, to 16.67% in 1970, other occupational distributions changed less significantly. The Chinese shift into the higher income occupations was much less than the Japanese.<sup>22</sup> Therefore, assuming that the Chinese had no great need or pressure to move out of their established occupations, we might predict that the same would have held true for the Japanese.

**TABLE 23**

Japanese in California, Age by Occupation, 35-64 Years, by Percentage: 1960

Occupation	35-44	45-64
Professional	10.07%	3.29%
Farmers	15.72	14.50
Managers	6.79	5.53
Clerical, Sales	13.72	6.31
Craftsmen	7.36	2.61
Operatives	11.29	8.52
Domestic	2.94	6.42
Service	3.30	3.30
Farm Laborers	4.76	5.94
Laborers	3.09	2.93

SOURCE: U.S. Bureau of Census: 1960.

**TABLE 24**

Median School Years Completed, Japanese in California, by Age and Sex: 1960

Age Group and Sex	Median School Yr Completed
14-19 Male	10.6
Female	10.6
20-24 Male	13.2
Female	13.0
25-30 Male	12.9
Female	12.6
35-44 Male	12.6
Female	12.5
45-64 Male	11.3
Female	10.3
65+ Male	8.6
Female	8.0

SOURCE: U.S. Bureau of Population: 1960.

Without the external shock of the evacuation, the Japanese would have remained in agriculture longer and not converted to other occupations. As a direct result, since agriculture has always been a lower income occupation, the Japanese median income would not have increased as much.

The preceding prediction seems reasonable until you look further into the other characteristics that determine income. The Chinese median age remained relatively stable between 25-26 years of age from 1940 to 1970. Their median education was far below that of the Japanese, as in 1940 the median school years completed was merely 5.4 years, but by 1970 had reached 12.3 years. From this brief analysis, we can conclude that even without the trauma of the forced evacuation, the favorable levels of age and education that were developing in the Japanese group prior to the war would have enabled them to expand economically, (although to a lesser extent than they have actually achieved.)

The reliance on agriculture by the Japanese in prewar California seems to be the fulcrum of this entire analysis. If the evacuation had not occurred, presumably many Japanese would have remained farmers in California. On the other hand, the evacuation forced the Japanese to make alternative economic decisions, which led to their later successful achievements in other endeavors. A unique combination of economic characteristics, ability to adapt, and a resilient psychological character have allowed the Japanese to overcome the discriminatory measures of exclusion, expulsion, and incarcerations.



All in all, this chapter has presented analysis of specific data to evaluate the changes in Japanese economic development caused by their mass evacuation and internment. Some discrepancies may exist in the analysis; however, this may be due to the emphasis placed on comparisons of economic status, rather than on social and psychological behavior. A more thorough lesson can be learned if two studies of the above nature are combined to produce results. Nevertheless, I have established the fact that the Japanese in California are unique in their decision making process, and have followed a significantly unusual economic development pattern in the last 30 years.

## IV Conclusion

Different immigrant groups have employed different strategies of adaptation in the move toward acculturation. Professor Kitano:

"...attributes Jewish survival in America to their techniques of accommodation. The large-scale resistance with which they were faced precluded assimilation on the one hand, while other factors inherent in the group prevented dissolution and disintegration. Other groups, such as Negroes, have at the present time chosen strategies of confrontation, while various white Protestant groups have simply integrated... the Japanese strategy has apparently been consistent from the start. It is basically a strategy of accommodation."<sup>1</sup>

Thus, the Japanese have adjusted their abilities according to the pressures exerted upon them.

The statistical and comparative analysis of Chapter III have established the underlying Japanese pattern of cultural adaptation and acculturation. Like Blacks, the Japanese have been an object of color prejudice. Like Jews, they have been feared and hated as superefficient competitors. Nevertheless, the Japanese have survived and developed in the California economy. Most significantly, within 20 years after the degrading and debilitating internment experience, the Japanese pulled themselves up above even prejudiced criticism. Furthermore, they surpassed the overall population in economic growth. In particular, the Japanese case is the outstanding exception to the generalization that past oppression blocks present progress.

Returning to the findings of the previous Chapter, we see that this process of acculturation has significantly affected their economic characteristics. Great changes occurred in their relative income levels, occupational distributions, and educational attainment from 1940 to 1970. This study has primarily concentrated on the effects of internment upon the Japanese. All indications appear to support the contention that the evacuation played a major role in the adjustment of their economic status. Every attempt to hamper their progress, in short, has resulted only in enhancing their determination to succeed. To some extent the process of assimilation was speeded up for the Japanese by their forced dispersion.

Nevertheless, the finding of this study conclude that the economic development of the Japanese in California was altered by their internment. First, and foremost, the evacuation caused great economic losses in the form of farms, businesses, homes, and property<sup>2</sup> (not to mention income), which forced the Japanese to weigh alternative opportunities upon return to California. It appears the evacuation speeded up the exodus, from agriculture into other occupations. Table 25 reveals the increasing urbanization of the Japanese population after the war.

TABLE 25

Urban Concentration of Japanese in California: 1940-1970

Area	1940	1950	1960	1970
California	93,717	84,792	159,545	213,277
% of Total	100%	100%	100%	100%
Urban	52,252	59,095	137,350	199,726
% of total	55.7%	69.7%	86.0%	93.6%

SOURCE: U.S. Bureau of Census: 1940-1970.

Second, the evacuation caused the Japanese to reevaluate their economic status in California. The maturing second-generation was just entering the labor force. Thus, realizing the barriers confronting them, they adjusted their ambitions into areas in which they could succeed and began to realize the importance of education, which in their homeland had always been emphasized.<sup>3</sup> Therefore, the re-evaluation of occupational strategies was less detrimental owing to their high levels of education.<sup>4</sup>

Finally, the effects of the evacuation were less detrimental to the Japanese because (1) the youthfulness of the group allowed more resilient re-establishment; (2) the extraordinary level of education gave them more economic alternatives; (3) the accommodation and adaptation process enables them to survive through the harshest of times (i.e. Exclusion Act of 1924, Alien Land Laws, incarceration); and (4) the strength of the family and community did not allow the group to break apart.<sup>5</sup> The Japanese, being a small, easily attacked minority, survived by functioning successfully as a complete, self-dependent community.

In any event, future and continued success appears to lie ahead for this once persecuted minority. A combination of unique economic characteristics (age, education, occupation), the ability to accommodate and assimilate into the mainstream of modern life, and their social and psychological behavior, (created not only by cultural values and attitudes, but by the necessity to achieve after the embarrassment of the 1940s) have enabled the Japanese to succeed. There is no concrete formula for this success; the experiences and tragedies of the past have both modified and stimulated the economic development pattern of the Japanese.

It will be interesting to evaluate the measures of the 1980 United States Census to see what further changes have occurred. I imagine that they would be less significant, only because such a large alteration has already transpired since the end of the war. The process of accommodation and acculturation will never end for the Japanese as long as prejudices exist.

The early history of Japanese in California was crowded with discriminatory obstacles against full economic growth. Section I introduces the occurrences of governmental harassment and legal roadblocks, that not only affected the Japanese, but other minorities in their fulfillment of the so-called "endless opportunities" in America.

However, by 1940, the Japanese had established themselves as fully as possible in an environment of constant hostility. Notwithstanding the rapid postwar progress of the Japanese into many other occupations, their major quantitative contribution to America thus far has been in agriculture:

"Very few, however, even among the Japanese themselves, realize the important role the Japanese immigrants collectively played in California agricultural history... They filled the farm labor vacuum and thus prevented a ruinous slump in those lines of agriculture for which California is noted, namely in the growing and harvesting of intensive crops. As independent farm operators, the Japanese with their skill and energy helped to reclaim and improve thousands of acres of worthless lands throughout the state... They pioneered the rice industry and planted the first citrus orchards in the hog wallow lands in the San Joaquin Valley. They played a vital part in establishing the present system of marketing fruits and vegetables, especially in Los Angeles county, and dominated in the field of commercial truck crops. From the perspective of history, it is evident that the contributions of the Issei to California's economy far outweighed the evils that have been attributed to their agricultural activities. They were undeniably a significant factor in making California one of the greatest farming states in the union."<sup>6</sup>

But in 1941, the first stage of Japanese economic development in California came abruptly to a halt, ironically, with the dropping of Japanese bombs on Pearl Harbor.

The second stage of Japanese economic development in California begins immediately with their return. A new Japanese American "immigrant," the Nisei, is the major contributor at this juncture. Maturing to the working class age, with a solid educational background, allowed this second-generation to achieve an economic status far beyond what seemed attainable only 20 years before. The Nisei have achieved a remarkable professional and educational record, exceeding that of the majority community.

This now brings us to the present Japanese American economic development has been growing steadily over the past 30 years, yet it appears now that they are entering a third stage of growth. This third stage encompasses the third and fourth generation Japanese Americans. Large steps have been taken recently in the political area, as there are presently five Japanese Americans serving in the United States Congress. I foresee, on the basis of the statistical analysis in this study, for Japanese Americans to level off in their economic progress during the period of this third stage. However, their "economics of accommodation" will not end here, as further adaptation will occur enabling Japanese Americans to enter areas such as management, administration, and policy making, which have been neglected up to this time.

Japanese Americans appear to have a bright economic future ahead. This ethnic minority has learned well from their experiences of the past. Hopefully the entire nation can learn a lesson from this group—that prejudice and inequality can be overcome with patience, hard work, and a combination of productive economic characteristics.

In conclusion, this study has provided a basic overview of the adjustment of one group to a traumatic occurrence in its economic lifestyle. We have seen the effects of the internment upon the Japanese in California; some have been detrimental, others beneficial. But in the final analysis, the shameful treatment of one small ethnic group in the United States, indeed, has had a significant effect on the economic development of the country as a whole. #

## APPENDIX A

Statistics of the Population of the United States: 1940-70  
U.S. Population by Median Age: 1940-70

Year	Total	Median Age
1940	131,669,275	29.0
1950	150,216,110	30.1
1960	179,323,175	29.5
1970	203,211,926	28.1

SOURCE: U.S. Bureau of Census: 1940-1970.

Employment Status of Persons 14 Years and Older,  
United States: 1940-1970 (In millions)

Employment Status	1940	1950	1960	1970
Number of persons 14 yrs & older	101.1	111.7	126.3	149.4
Percentage in labor force	52.2%	53.4%	55.3%	55.5%
Number of persons in labor force	52.8	59.7	69.9	82.9
Percentage total	100%	100%	100%	100%
Employed (exc. pub. emerg.)	85.5%	93.5%	93.3%	92.5%
Public Emergency	4.8	1.7	2.4	2.5
Seeking work	9.6	4.8	4.3	5.0

SOURCE: U.S. Bureau of Census: 1940-70.

## APPENDIX B

Notes on the Evacuee Losses during the Second  
World War Internment of the Japanese Americans:  
1942-46

The Japanese Americans interned during World War II suffered losses of human and civil rights, property, income, life and health, and in addition, certain emotional and psychological damages.

Seven of the ten articles of the Bill of Rights were abrogated. They are as follows:

ARTICLE I: (a) freedom of religion, (b) freedom of speech, (c) freedom of the press, (d) right to assemble;  
ARTICLE II: (e) right to keep and bear arms; ARTICLES IV: (f) freedom from unreasonable searches and seizures;  
ARTICLE V: (g) right to an indictment or to be informed of the charges, (h) right to life, liberty, and property;  
ARTICLE VI: (i) right to speedy and public trial, (j) right to

be confronted with accusatory witnesses, (k) right to call favorable witnesses, (l) right to legal counsel; ARTICLE VII: (m) right to trial by jury; ARTICLE VIII: (n) right to reasonable bail, (o) freedom from cruel and unusual punishment; further constitutional guarantees abridged were: (p) right against involuntary servitude, (q) right to equal protection under the laws, (r) right to vote, (s) right to habeas corpus.

Following the war, the Congress passed a law that provided for the payment of Japanese claims for losses caused by the mass evacuation. However, the Japanese American Claims Act of 1948 compensated only a small and inadequate fraction of the property losses alone. Even though there was no inflation corrections and no interest paid, loss of freedom, loss of income, death, injuries, loss of increased land values, mental suffering, etc. were not covered. The Federal Bank of San Francisco estimated actual tangible property losses to be at least \$400 million in 1942. Even at 3% interest per year, property losses would have totalled \$538 million by 1952 when the claims were settled. However, the government placed an unreasonable burden of proof on most of the claimants, who received a total of \$34 million, which amounted to 8½% of the actual property losses.

SOURCES: Japanese American Citizens League, National Committee for Redress, "Question and Answer Fact Sheet", June, 1979

## APPENDIX C

Statistics of the Chinese Population in California: 1940-70  
Chinese Population by Median Age for California: 1940-70

Year	Total	Median Age
1940	39,556	26.0
1950	58,191	25.8
1960	94,811	26.5
1970	170,419	26.4

SOURCE: U.S. Bureau of Census: 1940-1970.

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Median Income and Median Number of School Years  
Completed for Chinese in California: 1940-1970

Year	Median Income	Median School Years
1940	\$872.00a	5.4
1950	\$1944.00	7.9
1960	\$3211.00	11.3
1970	\$3879.00	12.3

a Calculated with PMI equation of CHAPTER II.

SOURCE: U.S. Bureau of Census: 1940-1970.

—#50/APP—C

Occupational Distribution of Employed Persons 14 Years and Older, for Chinese in California 1940-1970

Occupational Group	1940	1950	1960	1970
Professionals	3.6%	6.3%	15.2%	15.7%
Farmers	2.0	1.7	0.9	0.5
Managers, Prop.	15.3	17.0	11.4	6.9
Clerical, Sales	15.8	22.3	16.4	21.8
Craftsmen	1.8	3.9	4.9	5.2
Operatives	15.5	15.0	16.1	15.8
Domestic	11.0	2.8	1.4	1.2
Service	26.3	22.0	16.6	17.0
Farm Laborers	5.4	2.0	0.6	0.5
Laborers	2.6	1.8	1.4	2.7

SOURCE: U.S. Bureau of Census: 1940-70.

## HATAMIYA FOOTNOTES—PART 3

- Derived from prediction model of Chapter II.
- Peterson, op. cit. p. 103.
- Audrie Gardner and Anne Loftis, *The Great Betrayal: The Evacuation of Japanese Americans During World War II* (Toronto: MacMillan Co., 1969) p. 410.
- See Appendix B for calculation of wartime losses.
- Kitano, op. cit. p. 44.
- Peterson, op. cit. pp. 93-94.
- Gary Becker, *The Economics of Discrimination*, (Chicago: Univ. of Chicago Press, 1957) p. 124.
- Iwata, PhD Thesis op. cit. p. 44.
- U.S. Census of Agriculture: 1950, vol. II, *General Report*, Chapter XI, p. 1030.
- Ibid.*
- Kitano, op. cit. p. 49.
- Ibid.*
- Peterson, op. cit. p. 202.
- Kitano, op. cit. p. 57.
- William G. Appgar, Jr. *Merging Census and Local Planning Data: An Application of Discrete Multivariate Analysis*, paper printed to the Dept. of City and Regional Planning, Harvard Univ., June 20, 1978.
- U.S. Bureau of Census: 1940.
- For an excellent mathematical explanation see Yvonne M.M. Bishop, et. al., *Discrete Multivariate Analysis: Theory and Practice*, (Cambridge, Mass.: MIT Press, 1977).
- See Table 5.
- Peterson, op. cit. p. 113.
- Ibid.*, p. 122.
- George Goldberg, *East Meets West: The Story of Chinese and Japanese in California*, (New York: Harcourt Brace Jovanovich, Inc. 1970).
- See Appendix C for complete Tables of Chinese Economic Characteristics. 22. *Ibid.*, Appendix C.

## HATAMIYA FOOTNOTES—Part 4

- Kitano, op. cit. pp. 203.
- See Appendix B.
- John Modell, *The Economics and Politics of Racial Accommodation*, (Chicago: Univ. of Illinois Press, 1977).
- See Tables 16 & 24.
- Peterson, op. cit.
- Iwata, op. cit. "Agricultural History, XXXVI, (1962), p. 13.



## Interview

Continued from Page 5

**JT:** Was the JACL a national organization at the time?

**MM:** Yes, we had 66 chapters and the government felt that we should move our headquarters in order to act as liaison but at our expense.

A big debate surrounded the issue of who should act as liaison—Kido or me? Although Kido had a family and law clientele to worry about, he reflected the attitude of most JACL leaders—they could have avoided camp, but they felt that they owed an

### Munson was working with us to help prevent any outbreak of violence against JAs.

obligation to the other evacuees—so they thought they should go in and report the conditions of the camps to me, since I had the political contacts.

During our national emergency convention in March 1942, JACL leaders were assured by representatives of the government—McCloy, Tom Clark and the others—that since we helped with the assembly centers, we would be allowed to leave the camps if we cooperated.

Kido and the other JACL officers knew what they were getting into—they were beaten up in camp, which were hostile climates for them. But at least we tried to get the message across.

**JT:** Did you ever meet with Curtis Munson before Pearl Harbor? What did you discuss? What kind of person was Munson?

**MM:** As I testified to the CWRIC, Munson was the first contact I ever had with the federal government after I became JACL national secretary (late Aug. or Sept. '41). It was strange, but Munson had credentials which showed that he was an official with the federal government, and his identification seemed to be in order. But he never told either Kido or me just what his position in the government was, nor did he tell us what his agency's title was.

All he indicated to us was that he had been aware of the prejudice against the Japanese Americans and he was working to help prevent any outbreak of violence against us, in case there was an outbreak of war.

Since Kido had been very busy with his law clientele, it fell to me, who did not know that much about the community, to sit down with Munson and explain what I thought some of the problems were in the farm and city areas. We were very concerned about the areas of San Francisco, Los Angeles, Stockton and Sacramento.

When the Philippines fell to Japan, our Stockton and Sacramento Chapter members reported that some families were having some trouble with the local Filipinos, so we paid close attention to this area.

But it is remarkable, that on the day Pearl Harbor was attacked, and during the days following the attack, there were no, or at least very few, incidents of violence against Japanese Americans. I think this has to be attributed to Munson and the program he worked out with us.

As far as I knew, all we discussed with Munson was the protection of lives, limbs and property of the Japanese Americans—we didn't discuss loyalty—we may have in a general way but our big concentration was on security; contacting the local sheriff and police and telling them that the federal government expected them to do certain things.

**MY:** Of course, all that could have been Munson's cover—he may have been investigating loyalty as well.

**MM:** We may have been naive—but we were more concerned about the safety of Japanese Americans—because of reports of atrocities by Japan and Germany against POWs.

**JT:** I have an excerpt here from the Munson Report, which says about the situation in Honolulu, "Except for a few who have an axe to grind, they have no fear of the Japs, and the Japs are very good citizens. All people like them, with very few exceptions." The report continues to say that after all this praise, the people still can't understand the Oriental mind. I sensed some undertones of racism within Munson through his descriptions of the Japanese. Do you think he was prejudiced?

**MM:** We didn't have any feeling that he was particularly biased against Japanese. The fact is that Munson knew more about Japan than either Kido or I did, since neither of us had ever been there. The fact is that he could read documents (in Japanese) that neither Kido nor I could, even though Kido understood Japanese. Munson was also familiar with Japanese traits and customs.

**JT:** Were you or any of the JACL leadership involved in any other meetings with the government prior to Pearl Harbor?

**MM:** Prior to Pearl Harbor, we met with a number of state and city officials just to get acquainted. I was surprised that even the mayors in California cities did not come out to Japanese American events, as many politicians did in Salt Lake City. What we tried to do was get the Japanese American community more involved with the non-Japanese community. That's one of the jobs that I had to do.

**JT:** You're saying that prior to Pearl Harbor, there was a "quasi-political situation" on the West Coast. Was Pearl Harbor the catalyst to the evacuation? Or was it a culmination of discriminations against Japanese Americans? What was happening back then?

**MY:** Of course, there was sort of a delayed reaction—it was a couple of months before anything happened.

**MM:** Had there been no Pearl Harbor, I don't think the problem would have gone away. One of the problems the Issei faced was that they never got involved with the non-Japanese community, whereas the Nisei grew up with other races and at the same time were raised during the time when civil rights became more prevalent.

To me, Pearl Harbor was the excuse for all those persons, such as the Joint Immigration Committee, who had been waiting (to get rid of the Japanese). They had been active in getting the Exclusion Act passed; the Alien Land Laws; but they had been quiet after the Depression and prior to Pearl Harbor.

After hearing the testimony (on Nov. 2-3), it got me to thinking that 1942 was an election year. All the West Coast congressmen were up for reelection as well as half the senators. They needed an issue—we were an issue. It was fortunate for them—unfortunate for Japanese Americans. Remarkably—the entire California delegation—Democrats, Republicans, Independents—were united and sent a letter demanding the immediate evacuation of Japanese Americans. If there is any group that should be singled out for pushing the President to evacuation—it should be the politicians.

### California Governor Culbert Olson proposed 'work camps' for JA farmers.

**JT:** You're saying that the politicians were looking for a scapegoat to get reelected.

**MM:** Yes, an issue.

**JT:** After Pearl Harbor, there were JACL meetings and JACL meetings with the government. Can you discuss what those meetings were about?

**MM:** Because Gen. DeWitt and Col. Bendetsen were so busy, we had to meet with lower ranking officers and officials. After Pearl Harbor, I believe the Treasury Department had frozen all bank deposits of persons of Japanese ancestry. Kido came up to me and told me that people were telling him that they didn't have money; they couldn't buy groceries. He asked me what we could do about it. So I called Sen. Elbert D. Thomas of Utah, chairman of the Senate Military Affairs committee, and spoke to him about this problem of money shortages.

He told me that it would take too long to go through the legislative process, so he said he would talk to Eleanor Roosevelt about this matter. He did, and after a day or two of talking with Thomas, the Treasury Department revised its regulations so that each adult individual could take \$100 a month out of his account.

Later, after the war, the freezing order was lifted, one of the activities the JACL was involved in. The Treasury Dept. had also closed down all the Japanese language newspapers under the Enemy Trading Act. At the time, over 40,000 Issei lived on the West Coast alone. They needed a Japanese language newspaper for information. Therefore, the JACL, out of its National Headquarters, sent news of regulations, etc., in Japanese through newsletters from the chapters.

These were the kinds of things JACL had to do simply because there was no other organization to do it. We would have preferred if someone else could do it, but no one did, so it fell on our shoulders.

Now as to the meetings, our first priority was to relieve the Japanese American population of anxiety because there was no question of evacuation.

**JT:** When was the earliest that you knew (that evacuation would take place)?

**MM:** The first mention of evacuation publicly was in mid-December in a small California newspaper. But at the time, Gen. DeWitt was against evacuation, even of enemy aliens. He thought all that was necessary were certain designated military areas, i.e., moving away from military installations, etc. This is what we desired and our discussions centered around this idea.

Unfortunately, some of the things we discussed were later used against us—such as the fact that many Japanese Americans owned land near the railroads simply because that was the cheapest land available for them and white farmers didn't want it.

Same thing for the land along the coasts. White farmers didn't want to work the rocky soil, laden with alkaline and salt, so the Japanese Americans had land along these strategic areas as well.

As a matter of fact, when they said they found Japanese American land around airfields, such as Mountain View, the fact was that the Japanese Americans owned the land first and had sold or even given the land to the government for the use of airfields.

Our (JACL) first task was to urge the Japanese Americans to demonstrate loyalty to America. At that time, the only way was to urge them to buy liberty bonds. We even had a campaign

in San Francisco to buy bonds for ships, for blood, donations to the Red Cross, etc.

Then, when it became probable that there would be some type of movement of the Japanese American population, we started a discussion with government officials—on matters of food for the population, etc.

I'd like to say that when you are responsible for the lives of 120,000 people—babies, the aged, etc., you have an awesome responsibility.

So before we took our decisions out of (JACL) Headquarters, we talked to people like Annie Clo Watson of the International Institute; Monroe Deutsch, the provost of UC Berkeley; Galen Fisher of the Institute of Pacific Relations; and Chester Rowell, editorial writer of San Francisco Chronicle. On legal matters, we talked to attorneys Jim Purcell (in San Francisco) and A.L. Wirin of ACLU in Los Angeles.

On major decisions, we tried to get advice from leaders of the various Japanese American Christian denominations and Buddhist churches (at least those who weren't picked up by the FBI).

So the decisions that the JACL made were not monolithic in the sense that one person made them. Perhaps they were made improperly because we didn't consult everyone, but that's impossible in an emergency situation.

One rule that Kido and I always tried to live by was to do what we thought was best for the great majority of people involved. When we agreed to evacuate, we knew that it would be unpopular with many of the people; this was recognized in the WRA's final report. But we didn't represent the majority sentiment—we knew that. But we felt as a price of leadership, and for the future, we could not afford to have the Japanese American population up and down the Pacific coast, at a time when Japan was scoring victories. We also did not want to refuse to obey what the Army considered—and backed by the President—necessary for the security of the country.

Although we could have resisted—as far as military necessity was concerned—we felt that there was no other alternative.

Let me talk about cooperation. When people say, "Well the JACL decided to cooperate with government on evacuation." Nothing could be farther from the truth; but in the rush of history, there has been a lot of confusion.

If you look at some of the documents remaining, although the distinction may not be too clear—JACL opposed all along the line, EO 9066 and any other order that would cause our forcible removal.

What did the JACL do? Well, we did what most citizens would have done. We wrote to our congressmen (we didn't know that they were going to be so political later). We tried to get meetings with the Army locally, and we tried to meet with the governors and the local officials. We weren't very lucky.

### JACL's first task was to urge Japanese Americans to demonstrate loyalty to America.

We even went one step further. In San Jose, we held a special meeting, and in desperation we addressed a letter to the commanding general of the Fourth Army and told him:

"If the Army would not move the Japanese, we would organize a battalion of Japanese Americans to fight, in infantry combat, the Japanese enemy. As a hostage to our loyalty that we would not do anything to discredit the United States, we offer our parents and our families." This is how far we went.

The answer we got was, "The United States Army and the U.S. government do not believe in hostages. The U.S. Army does not believe in segregated units, except for Negroes." And lastly, they said, "The problem of misidentification would be so great, we can't use you, against the Japanese."

JACL even went further, in the Tolson Committee and various other reports, on the establishment of "enemy alien hearing boards." These boards were conceived by JACL and our advisors, and it was decided that if these boards were proposed by Americans on our behalf, we would have a better chance of acceptance, than if we proposed them ourselves.

We got the idea of these boards from the British example—who were able to give hearings to Germans, Italians and others whom they thought were disloyal. And on the basis of these civilian hearings, they could decide whether to incarcerate certain enemy aliens or not.

So the boards that we proposed would be intended for the enemy aliens and if necessary, they would also provide some type of due process for the Nisei.

Later on, when we were put into camp, we protested any type of hearings, because the presumption of innocence should have applied to us. Of course, we felt that the presumption of innocence should have applied to us even before camp, but since the Army was going to move us, we thought that we should have some sort of due process, at least in the form of a hearing board.

**JT:** This is an interesting and important point because playwright Frank Chin has accused you, evidenced by your April 6, 1942 letter to Milton Eisenhower, of opposing the hearing board process.

**MM:** We proposed alien and even civilian hearings to prevent the evacuation, to prevent our removal from Military Area



Zone 1, because we felt that we were at least entitled to that as citizens. But once we were arbitrarily moved to these camps, then we said, we didn't want this hearing procedure, because as citizens, the presumption should be of innocence, and let the government bring individual reason for our incarceration. And that I think is the distinction.

I also remember very distinctly, that we discussed this very carefully with our lawyers and others, and this distinction was made. Before evacuation was one thing, and after evacuation was another.

**JT: In hindsight, do you think it was the right decision?**

**MM:** I did because we took the example of Great Britain, and in less than six months, 70,000 enemy aliens were examined by Great Britain.

There were 40,000 Issei on the West Coast. Given the same time schedule, they could have done it within the same time frame that it took to carry out the evacuation. Remember, Pearl Harbor took place in December, 1941; it wasn't until June, 1942—a little over six months later, that evacuation to the camps were completed.

So if the U.S. government had followed that same time schedule, they would have had the same time to consider half the number considered by the British in the same period.

Another distinction I would like to make clear is that there was a difference between the evacuation order itself—we had opposed it. But when it became a matter of military necessity, we chose to cooperate.

The reason for this is simple—knowing how the Army operates, we felt that resistance would provoke possible bloodshed and violence, which we didn't want.

## JACL objected to hearing boards 'after' JAs were put into camps; not before.

Not only that, but we were agreeing to, as Bendtsen and McCloy pointed out in their testimony to the CWRIC, *it was the intent of the Army, and even of the WRA, that these centers were temporary stations of asylum.* That's why some witnesses have spoken of the armed guards being on the outside, rather than the inside. And we thought that we could leave any time we wanted.

And the word "detention" and the barbed wires, etc., did not come out until *after we were moved to the assembly centers.*

**JT: Are you saying in the discussions that the JACL leadership had with the military and with the government, there was no indication that these centers would become permanent camps?**

**MM:** That's right.

**JT: They were to be temporary, like "stopping off stations?"**

**MM:** That's the way we understood it.

Kido wrote in a memorandum, and as witnesses testified to the CWRIC *these were not intended as detention centers.*

**JT: What happened? How did they become detention centers?**

**MM:** This is kind of a mystery. But I think—when Gen. DeWitt, early in February, 1942, designated the western halves of Oregon, Washington, California and part of Arizona as "excluded areas" to all Japanese Americans, he called for so-called "voluntary migration."

DeWitt "invited" the Japanese Americans to move out of Military Area 1, for them to move voluntarily, and on their own. A number of Japanese Americans did leave, but encountered difficulties, such as in New Mexico, where a group of people protested and there was anti-Japanese violence.

So during the period of voluntary migration, we looked for some land to purchase in the intermountain areas, such as Utah, for a place of asylum.

But as more stories of the difficulties facing the voluntarily migrating Japanese Americans came about, a meeting with the governors of 10 western states was called. All of the governors except Ralph Carr of Colorado declared that if the Japanese were dangerous to the security of the West Coast, they certainly were a danger to other states and they didn't want anything to do with taking care of the so-called "Japanese problem."

I think that this persuaded Eisenhower and DeWitt that voluntary migration would not work. Without consulting or even informing us, the decision was made to stop voluntary migration and set up assembly centers, and later, WRA camps.

But even then, in those instances in the beginning, we were never informed that they were going to be detention centers. We always had the impression that we would move to the assembly centers, then to the WRA centers and then be allowed to move out as we wished. This intent is corroborated by the testimony of the government officials at the CWRIC hearings.

So that the JACL decision, to give this ungrudging cooperation in many ways, was based upon, what proves to be now, a mistake. We didn't believe that we were going into detention.

**JT: I don't think that there were many Nisei who believed that they would be evacuated.**

**MM:** Well, one reason that we didn't disagree more violently, was the fact that we thought that the centers were just going to

## The centers were intended to be temporary stations of asylum; but later became detention camps.

be temporary way stations. Up to the last minute, we were told by our political friends, by our attorneys and others: "You people are citizens. They can't do things to you like you may be wondering."

And so we concentrated more on trying to relieve the suffering of the people, than, perhaps in trying to stop this particular decision. We made that mistake, and perhaps in hindsight, we were a bit naive.

But regardless, I think that our decision would have had to be the same, because, as I said before, if we had not agreed to cooperate ungrudgingly to our own removal, I think that the Army would have resorted to violence—tanks, guns, etc.—to move us out.

And if that had been done at a time when Japan was winning the war, I don't think the American people would ever forget it, and I don't think that the Japanese Americans would enjoy the benefits that they enjoy today.

I would like to add a couple of other things—you would think that in a movement like this, the Army would be well prepared—but they weren't. But once again, the JACL had to step in and help. We didn't want to do this, but because no one else did, we were forced to, in many instances.

In many places, the Army did not have the vaccine for proper immunization for the people going to camps. In certain areas, such as San Francisco, we called upon Nisei physicians and nurses to use their private facilities to secure vaccines and we organized Japanese American doctors and nurses who gave shots voluntarily, under JACL sponsorship to the people going to camp.

Now these are the kinds of things that people, when they accuse JACL of taking over the leadership of the community, just don't realize. If we didn't do it, who would?

**JT: Were there any other organizations that attempted to provide leadership?**

**MM:** If there were, I did not know of any, neither did the government. The government was desperate for some kind of organization that would be helpful to them. They made a search, and I don't think they were even completely satisfied with the JACL from the beginning, partly because they knew we weren't equipped for it. We didn't have a large professional staff, (since ours was a voluntary organization) to do the things that they would like us to do.

I think that had they been able to find any other group that was willing to sacrifice for the public welfare, they would have gone to that organization.

**JT: I recall, from the minutes of the JACL emergency meeting in San Francisco of March, 1942, that you and Kido and other JACL officers had a meeting with a federal government representative and you asked them whether the farmers should go ahead and plant their crops. The federal representative told them that the farmers could go ahead and plant their crops; they would be allowed to stay to harvest them. How was such misinformation allowed to spread?**

**MM:** I suppose you can blame it on the war, like everything else. The fact of the matter is, I think you have to give the devil his due. I think that many of the government officials themselves, did not know what the eventual decisions would be, or even what the temporary decisions would be.

And therefore, on your question, they felt that the people needed food, so they told the Japanese American farmers to plant their crops.

Now, I'm glad you brought up the reference of these particular minutes, because I've seen them, and I must say that we in JACL were so busy, that we didn't have time to keep records, minutes, documents and so on. And what were kept were very sloppy and never checked for accuracy.

I recall one or two instances of studying these minutes, where I think that maybe a page, or paragraph was dropped. I don't think that we could rely on such minutes, or even the official documents.

Or even the government documents. As Watergate revealed, the government or officials who put out these documents, tried to put on the best face possible, in order that posterity will think kindly of them.

I wish that we had had the opportunity to have more documents. In 1943, while I was in the Army, the House Un-American Activities Committee, without any warrant of any kind, converged on the Washington office and the National Headquarters in San Francisco and confiscated the remaining documents.

When Francis Walter of Pennsylvania became chair of HUAC in the early 1960s, we asked him to ask his staff to find these records and return them to us; his staff could not.

One of the shames of the evacuation is that there is very little documentation of when we met with Army officers, Farm Security Administration or Federal Reserve persons. And many of them did not keep records either, in those chaotic days that existed.

**JT: Well, speaking of those minutes, and the lack of care with which they were taken, Dwight Chuman, English Editor, of the Rafu Shimpo, made an accusation during his testimony (before the CWRIC) on July 16 that according to those minutes, you had advocated that the Issei be treated in a certain way—put in labor camps, branded and stamped. Can you recall any of this matter?**

**MM:** Let me say that I saw Mr. Chuman after the hearing (July 16) and he promised me that he would send the documentation to me to support his charges. To this day, I have not received any communications from him. However, some good friends of mine were able to obtain the minutes for me from another source. I looked at them, and to the best of my knowledge, there is a paragraph or a page missing—because the things I am charged with, I know I could not have said, and if I had said them I know that the JACL leaders, with their compassion and understanding, would not have allowed it.

I believe what has been recorded as recommended by me (regarding the labor camps) are actually the words of Governor Chase Clark of Idaho, who made these recommendations. Certainly, I would not have made such a recommendation that would call for my parent generation to be branded or my fellow Nisei be put into work camps, it's impossible for me to believe that.

**JT: Well I do know that Tom Shimasaki, who was involved in those meetings, did write a letter to the Rafu Shimpo, which never got printed. He unequivocally denied that you had ever said that, and had you said something like that, you would have been branded, stamped and sent out of the League. Those minutes, I suppose, were really important.**

**MM:** Unfortunately, yes. Too bad we did not have a professional typist or recording devices.

There's something else I'd like to point out—when we met with government officials, almost invariably, they would insist that only one—either Kido or I, be present; that two or more government persons be present at the meeting. No minutes that we could see were kept; nor notes.

If the government changed its mind on a matter, and we questioned it, they were always able to produce a colleague who could back them up.

I remember this very distinctly—when we were going to be evacuated, to these "temporary" centers, we talked about wages. I made the recommendation that the prevailing wages be paid, in the event that the people had to work. It was then pointed out to me that the prevailing wages varied from area to area. So I proposed that the Work Progress Administration (WPA) wages be the minimum (the WPA was an agency created by FDR during the Depression).

I was given to understand that these wages would be considered. Instead, we got the WCCA wages of \$8, \$12 and \$16; and in the WRA camps we got \$12, \$16 and \$19. As I was told, Congress refused to pay the people in camp more than a person who was in military service (\$21 a month). Now I have no quarrel with that, except that the soldiers, in addition to their benefits, were receiving quite a sum.

## HUAC took JACL documents from Washington and San Francisco without warrant.

**JT: There were meetings between JACL leaders and government officials and FBI agents, etc. Obviously, you were involved in some of those meetings.**

**MM:** Well, I remember a meeting that I had following my return from North Platte, Nebraska after the outbreak of war. I met with Matt Parker, the officer in charge of the Northern California FBI.

In San Francisco, we (Kido and I) were taken to a room and Parker told us, "If you boys don't answer our questions, you won't walk out of here alive." Kido talked about his constitutional rights as an American.

As for myself, I know that the FBI had once sought my release when I was arrested by local police. Furthermore, I know that there is a charge that some JACLers "stool-pigeoned" on pro-Japan persons. (I can't speak for the others,) but as an American citizen, I would expect that the intelligence agencies would be active.

Some of my friends whom I went to school with were FBI agents, and they told me that they were having difficulty with Japanese American persons who were under suspicion. I can tell you that I testified in many cases as to the loyalty of those persons who were under suspicion, and because of my statements these Issei were kept out of the internment camps.

I'm sure this would be true of any area—the FBI approached many community leaders and some happened to be JACL Leaders. As any American citizen would, the leaders would report what they knew.

To me it's amazing how little the average Nisei knew about their fellow Japanese American. Officially, if you read DeWitt's final report, one of the major reasons why they took such a drastic measure as evacuation, was because, as either DeWitt or one of his aides stated, "The Japanese American, unlike the German American and Italian American, would not



## Interview

provide information of their fellow Japanese American, concerning subversive activities.

So we have on one hand, the military commander said we didn't inform at all, so they had to send us to camp; on the other hand we have persons from our own community saying that we informed so much that we had divisions within our own community in the camps.

### 'We (JACL) always consulted people who knew more about a problem than we did.'

**JT:** What's the truth? It's a prevalent view that JACLers were informers in 1942.

**MM:** Part of it is semantics. What do you mean by informing? If the FBI asks you about Miss So-and-So, and you tell them, "Well, I know she's lived here for ten years, and I believe she's a good citizen." Is that informing?

I'm sure that in some cases, there may have been some informing, not always by JACL leaders, which was done out of spite.

I think that if you look at the average JACL official, who suffered as he did to help his community and the officials, and look at some of the people who accused them of informing, in most cases, the JACL leader was less likely to inform, than the person who was accusing him.

Now, I suppose that while in camp, some people, with little to do, conjured up scapegoats and speculated on these accusations in order to get people they didn't like.

Speaking for myself, I can say I discussed Japanese Americans and many other ethnic groups as well with the FBI, but I cannot say that I discussed anything which would be considered "informing."

Remember, the FBI had been against any type of mass evacuation of the Japanese Americans from the West Coast. The other agency was Naval Intelligence; we never heard whether Army Intelligence urged our removal from the coast, and it is quite possible that these intelligence agencies were opposed to what the commander of the Western Defense Command wanted.

**JT:** What was the role of the Treasury Department?

**MM:** As far as their role in the Evacuation, the JACL asked them to take measures to protect the property of the evacuees. Unfortunately, this was not adequately done.

**JT:** How did the meetings between JACL leaders and FBI and Treasury agents take place? And how did the JACL make its decisions from these meetings?

**MM:** Well, the overall, major decisions were usually made by the national council and implemented by the staff and national board where possible.

The larger decisions were never made in a vacuum just among Japanese Americans—we always consulted people who knew more about the problem than we did; and they not only had our interests at heart, but also had some influence with the government official whom they had to deal with.

As far as the meetings with the FBI and the Treasury Department, either Kido or I had to invariably meet with them alone, so many times JACL decisions had to be made by either Kido or I alone.

How were the decisions made? I must confess, I wasn't an expert in social work, or in auditing, etc. But I think I made decisions which I thought were in the best interests of the community then, and also be a part of our larger public relations picture of demonstrating our loyalty to the U.S. and to the war effort.

**JT:** Were you ever entrapped by government officials to make certain decisions?

**MM:** On the major decisions, no. As far as the evacuation, I don't think even the President thought that we would be put into detention centers.

In all honesty, I must admit that on tough decisions, we always consulted with persons who had some prestige in the community to talk to the government officials.

And I can say this. Not one person or group of any substance in any community has ever, officially or otherwise, told the JACL that our decision to cooperate with the government was wrong. There was no alternative.

**JT:** How much resistance was there to evacuate?

**MM:** I must say that Kido and I strongly considered testing the constitutionality of the curfews, etc. But we felt that we were the backbone of the organization and we could not desert the ship.

As far as challenging the evacuation in court, we also felt that the timing was bad—a court case before the Supreme Court, as our legal advisors told us, would be ruled in favor of the military.

Also, the cases chosen were not in our favor. Min Yasui, a good friend of mine, was a reserve officer in the Army, but had also worked for the Japanese Consulate in Chicago before the

war. We thought, what would the jury think in such a case as his?

Gordon Hirabayashi was a Quaker, a conscientious objector to the very war that Japan had brought upon the U.S.

(Fred) Korematsu was a rather strange individual, who tried to change his facial features through surgery in order to avoid evacuation.

We would have much preferred (a case) like that of Walter Tsukamoto, or somebody in the Army. Some of them violated the law—they stayed out and violated the 8 p.m. curfew.

If the government would have taken the cases that we would have proposed, we would have been all for it from the beginning. But the government, for their own public relations reasons selected these cases. We had nothing against Yasui, Hirabayashi or Korematsu personally, we just didn't think their cases were the best.

As far as the Mitsuye Endo case was concerned, James Purcell, a good friend of Kido, worked out all the details, and they insisted that only she be tried for this particular offense. They (Purcell, etc.) were able to make their arrangements, so that the case came out the way it did. If we could have done the same with other cases, we might have had better luck.

**JT:** Min Yasui said he felt that the timing of his case was wrong, but he was "madder than hell," and that's why he went through with it, anyway.

**MM:** And the government selected him because they had a better case against him. That's something people ought to remember.

**JT:** Now Frank Chin has said that you called Min, through correspondence, a "self-styled martyr" and that his case was a "publicity stunt." Min doesn't recall you ever telling him that. Do you recall any of this?

**MM:** I may have said it, but I don't recall it. I think it could have been JACL's "public position." We decided that if there was to be a future in America, for our parents as well as ourselves and our children, we had to take the overall position that we must do all we can to prove that we were loyal Americans. This was a position taken not only by myself and Kido, but the National JACL Council as well. So everything we did fostered this position.

People today don't realize that back then, we were told that the Japanese Americans, unlike German or Italian Americans, had not proven our loyalty to the U.S. Today we can say "why should an individual have to prove his loyalty?" But in those

### JACL wanted court cases that had a better chance of success for Japanese Americans.

times and those circumstances 39 years ago, it was important to prove our loyalty to preserve the future for the Japanese Americans.

Also, the JACL never asked for a segregated Nisei military unit as it has been credited. We asked only for the restoration of Selective Service on the same basis as that for all other Americans. We did not want to be a segregated or a racial group.

When George Inagaki, the Southwest District Secretary, and I met with John McCloy, and other government officials, the government convinced us to form a segregated unit, because they told us that if the Nisei were dispersed in the regular units, no one would notice them. But if they were in a single segregated unit, they would be noticed. So even though the records show that JACL is credited with the formation of the 442nd, we did not think up of the idea; we only agreed to it. The idea came from our friends in the government who wanted to help us.

Roger Baldwin, Edward Ennis and Norman Thomas of the ACLU—our greatest supporters, all told us we were foolish to expect that the Japanese Americans would fight and die for their country, after the way they had been treated by the government.

We responded by telling them that it wasn't ourselves we were thinking of; but our kids.

**JT:** Do you think the formation of the 442nd had Machiavellian undertones? Because the assignments that they were given made them practically a suicide battalion.

**MM:** Well, looking back, when I raised this point with certain Army people, they told us, "Mike, you people asked for this unit." And in a sense, we did. I think the 442nd was one of the few units in WW2 who knew what they were fighting for, and they got what they were fighting for—some dignity and rights for our parents and our children.

There were a lot of people who were opposed to the idea of drafting the Nisei, and there was opposition even within the JACL. I had a lot of confidence in the Nisei and their loyalty and I thought that there would be about 3,500 from the Mainland and 1,500 from Hawaii.

Due to military foul-ups and the loyalty questionnaire in the camps, we had only 1,500 from the camps and about double the number from Hawaii. It's interesting to note that the highest percentage of a minority group serving in the military came from the Japanese Americans.

Remarkably, one of the major reasons why DeWitt said we

### Dillon Myer wished JACL had seen questions 27 and 28 before they were given out.

had to leave the West Coast, was because there were too many Japanese Americans who spoke and read Japanese. Yet, when they wanted us for MIS service, they found that less than 5% of the Nisei could even speak or write Japanese.

**JT:** Let's turn to questions 27 and 28, it's been said that the JACL created those questions. Could you comment on this?

**MM:** About those questions, neither Inagaki nor I had ever seen those questions until after the fervor was created from them. We asked the War Department and the WRA to send us those questions so that we could look at them.

Dillon Myer has said on record that he wished we had seen these questions before they were given out. I think that's testimony enough to prove that we did not create these loyalty questions.

Also, questions 27 and 28 indicate the possibility of dual nationality and allegiance to the emperor, etc. Japan is one of the few countries which had a law which said if a Japanese national had a child born before July 1, 1924, his or her parents could go to the Japan consulate and have the child's Japanese citizenship stricken from the record. My parents never did this; therefore I had dual nationality. But I would have never sworn allegiance to the emperor.

Now Chin talks about JACL's loyalty oath. Our oath was deliberately patterned after the U.S. government loyalty oath, which is given to its employees. This oath was on the back of JACL membership cards and its purpose was to help Japanese Americans protect themselves from being hassled by local police, etc. This was thought to be necessary especially during the period of voluntary migration. We were trying to create a type of "pass" for members.

Some critics have implied that the JACL had "sinister" motives behind some of its actions. Frankly, we didn't have the time to do such things; all we were interested in was the protection of the Japanese Americans.

A lot of this was done at the cost of our own safety; there were some people who wanted us to oppose the government, and provoke the Army.

**JT:** So you're saying that the similarity between the JACL loyalty oath and questions 27 and 28 was purely coincidental.

**MM:** Yes. We strongly protested questions 27 and 28; and the JACL loyalty oath was a different matter, deliberately designed to protect the lives and limbs of members.

**JT:** There's also been the allegation that you "led the Japanese Americans to the camps" but never went there yourself.

**MM:** It's true, I never went to camp. The national board of the JACL elected me as a Washington liaison to help make the camps as humane as possible. Frankly, I think I would have preferred to go to camp, rather than work among persons who were constantly questioning the loyalty of the Japanese Americans.

**JT:** What about the accusation that the JACL tried to use the war experience to gain leadership over the Japanese American community?

**MM:** Well, first of all, that suggests that we wanted the war, and we certainly did not.

Secondly, we never said that we spoke for all the Japanese Americans. But the fact remains that of all the Japanese American groups, we are the oldest, the largest and the most representative of all the groups. If the JACL had not been sincere and honest in its actions, I don't think we would have existed this long.

As far as the JACL leaders are concerned, many of them have passed on before their time—and I think that was due to the undue suffering they went through.

As far as the JACL loyalty oath being a "publicity stunt" on our part, well, I guess it was, in a way—to help protect the Japanese Americans, especially during the period of voluntary migration (but not for our own leadership).

Also, Eisenhower, McCloy, etc., came to the JACL (for leadership within the community) long before the JACL loyalty oath was ever created.

**JT:** What about the critics within the Japanese American community who say that the JACL was an extreme "ultra right wing, super-patriotic," group?

**MM:** Well, I think you ought to look at who's making those criticisms. I'm proud to be a Japanese American; no other immigrant group has accomplished so much with so little in such short time.

I think that devotion to country is an important factor, in what the future holds for our children.

Let me say this—those critics who attack JACL should look at the record of the League's accomplishments. To me it's amazing that with all of its criticisms there is not a single national Japanese American organization that exists today, and will continue to exist in the future—if we were so bad, how is this so?

**JT:** Do you think that because the JACL was a patriotic group



and was chosen as the leadership of the community during the war, that this has created a rift between JACLers and other members of the community?

MM: I've never thought that the JACL "created the rift"; it was the anti-JACLers who had. I think some JACLers have a tendency to be oversensitive to this problem as well, because I myself used to be.

But I've talked to leaders of other minority organizations, and I discovered that some of them have the same problems as well. For example, the late Roy Wilkins of the NAACP said that they had been under a lot of criticism from the black community. The old-line Jewish groups have also been attacked by activists and dissidents within their own community.

JT: Let's turn to another criticism made by Chin during his testimony before the CWRIC in Seattle, it's in regards to your April 6, 1942 letter to Milton Eisenhower. Chin alleges that you joined with the WRA to "modify Japanese American society, culture, history and individual behavior."

He quoted from your letter, in which you said:

"We believe that all projects should be directed: (1) To create better Americans in a greater America; (2) to maintain a high and healthy morale among the evacuees; (3) to train them to cope with the difficult problems of adjustment and rehabilitation after the war; (4) to permit them to actually and actively participate in the war effort of our nation; (5) to develop a community spirit of cooperative action and service to others before self."

Can you respond to these criticisms?

MM: Seems to me if you take these points either singly or collectively, they are the essence of any good citizenship program. When you say "better Americans," you can be a very good American in present day terms if you believe in ethnic pluralism; if you do the kinds of cultural things that are so

### JACL provided services during the evacuation because no one else would do it.

popular today. And in a "greater America" I think that we envision the kind of America for which those who went to war, fought and died for. This is the kind of America we would like to see, as a man's best hope—there's nothing wrong with any of that.

In fact, I'm pretty proud of that summary—it's better than what I could do today.

JT: I assume that Chin is critical of your point (2): a "high and healthy morale among the evacuees," in a sense that the relocation was not a good situation, so why try to maintain a high morale?

MM: If the people can have a high morale in a difficult situation, then I think that it makes them better persons. For example, Allan Eaton, in his book, "Beauty Behind Barbed Wire," points out that the Japanese people, of all people, in the degradation and demeaning atmosphere of these detention camps, brought into them beauty that perhaps, no other people could.

This is the kind of "culturalism" that we would like to see; we would like to see the Japanese people given "the best things" of their lives—a culture, a background and a history—and then we would like to see that merged with the better things in America.

I'd like to congratulate Chin for writing a very "sensational fiction" of what actually happened. I don't think that anyone could think of a more distorted and untrue scenario than he has in mentioning JACL's activity.

For example, he takes a simple statement (that we made to the Japanese Americans during the war), "Don't bunch up in groups when you go out," as an indication that JACL didn't want the Japanese Americans to congregate. Well, if he had been there in those times, he would know that point refers to the fact that large numbers of Japanese Americans leaving camps and going into the Midwest in large groups would have invited violence against them.

As a matter of fact, I believe the National Student Relocation Association made the same suggestion.

Chin also charges that JACL did not want Japanese language schools. Again, this was a part of our overall program to try to demonstrate complete loyalty to the United States. In those days, Japanese language schools were closed by state action in California, Oregon, Washington and even Hawaii, by the military. We felt that if these language schools weren't considered "proper" in the designated military zones, then they should not be in camp either.

In regards to "modifying culture," well, JACL also stood up for the Buddhist churches, since many of the ministers were in Justice Department internment camps. We also felt that the United States should not bomb sacred places in Japan; since they had this policy for sites in Europe. As a matter of fact, the Japanese government cited me after the war for my part in asking the U.S. government not to decimate the emperor's palace and the holy cities of Kyoto, Nikko and Nara.

As to Mr. Chin, for a person who was not there during the war, who had not been responsible for the safety and future of a great number of people—looking back, would not quite understand why certain measures were taken. But if you look back on the

record and see the conditions of the Japanese American population today, I think that the vindication is there for the JACL decisions.

JT: With the new perspectives that have come about through the CWRIC hearings, and now that new revelations have come forth through individual testimonies, would you say now that what the JACL did 40 years ago could have been done differently?

MM: Well, if I knew what was going to happen, I would have never taken the job. And I would have insisted on being a test case in the courts so that I could have been protected for all of things that we had to go through.

But, seriously, and overall, I think I can honestly say that as far as the major decisions of the JACL, even with the benefit of hindsight, JACL could not have made any other decisions.

I don't think the CWRIC hearings have shown that any of the major decisions of the JACL were wrong, or against the people, or have resulted in disaster or damage to the Japanese American community.

### We didn't have time for 'sinister motives'; we just wanted to protect Japanese Americans.

As a matter of fact, I think because of JACL leadership—a very tragic and difficult situation was made into something not quite as tragic and bad as it would have been.

Where would the Japanese Americans who went to camp be today, if there had been no leadership, and if they went blindly into camp? This is something JACL officers and members should ask themselves.

JT: Do you think there was any way for JACL to stop the evacuation of Japanese Americans?

MM: This is a question that has haunted me. Some JACLers such as Joe Shinoda felt that I should have gone to Washington to lobby against the evacuation, but the national board voted to keep me on the West Coast because I could do better there, and they didn't believe that a single individual could have turned the tide, something which I had to agree with.

I only wish that we could have had some persons in Congress and the Senate who could have filibustered the decision to evacuate the Japanese Americans for 24 or 48 hours to make it a dramatic test of time. If the American people had that time to reflect on this, maybe the evacuation could have been avoided.

The late Francis Biddle of the Justice Department once told me that maybe, if he had resisted the decision a little while longer, it might have been unnecessary.

JT: Did you know Biddle?

MM: I met him a number of times after the decision to evacuate, and he was a very liberal person who was very close to the ACLU.

I might say that the national ACLU, despite its great record, at the time backed the military order to evacuate. And I remember that Norman Thomas kept chiding Roger Baldwin about this and so I'm positive that the national ACLU backed the military decision, and that was one reason why the southern California ACLU and the northern California branch broke away from the national ACLU, and still remain a little independent. But Biddle had been a member of the ACLU for many, many years and I remember that his father had asked that the records show that there had been no evidence of espionage or sabotage by the Japanese Americans against the U.S.

JT: I know that Biddle had been opposed to removing citizens from the West Coast; do you know why he and the Justice Department changed their minds and went ahead and agreed to the evacuation?

MM: I don't think Biddle ever changed his mind. Edward Ennis once told me that Biddle agreed to the evacuation of citizens because he respected Secretary of War Stimson as an elder statesman.

Biddle also said that if citizens were to be included, he would have nothing to do with it and it would have to be done by the Army, because he felt so deeply about the rights of American citizens.

I think you'll even recall that DeWitt was initially opposed to the evacuation of even aliens, but I guess his racist feelings eventually came out. But curiously enough, in his last memo to the War Department dated (I think) February 14, 1942, he had recommended an evacuation program that included German and Italian aliens away from the military areas on the West Coast.

Yet, on February 19, 1942, when EO 9066 was signed by FDR, Germans and Italians were dropped from the order, and only Japanese aliens and Japanese American citizens were included. Someone in Washington made that change—I don't know who it was.

JT: Did you ever meet DeWitt? What kind of man was he?

MM: I did meet DeWitt, but I did not meet him enough times to know what kind of person he was.

As I recall, I met him three times and each subsequent time I

met him, he did not remember me. The first time I met him was at his headquarters in the Presidio, San Francisco; the next two meetings were at the Whitcomb Hotel, Headquarters of the WCCA (in San Francisco).

JT: Who do you think was the person most responsible for the evacuation?

MM: I feel it was Earl Warren, then Attorney General of California. Why? Because, and I heard this from a person in the War Department, that most of the civilians in the War Department did not pay that much attention to the demands of the military; it was not until a respected liberal like Warren, a lawyer who knew the Constitution and was willing to defend it, and the respected journalist Walter Lippmann—it wasn't until people like them began to say that the evacuation was necessary. Because the Japanese were a "dangerous" element, the civilian government officials began to take the military's requests seriously.

Warren also created the myth that the "fact that the Japanese have not committed any subversive act—makes them more dangerous."

JT: Can you comment on the Tolan hearings?

MM: Before we were to prepare our statements for them, we were told that the Tolan committee's purpose was to come out to the West Coast and establish what needed to be done with the alien and Japanese American populations. They were to investigate the matter and then report to the Congress and the President. This is what we believed.

But before the first hearing on February 21, 1942, FDR had already signed EO 9066. So the Congressmen on the West Coast decided to take a "Roman holiday"; they decided to show their loyalty and back the president's order up, since they were all up for reelection that year.

JT: Can you give some examples?

MM: Well, the person who eventually became a candidate for the U.S. vice presidency pointed to me and said, "Do you know that you people had arrows in the Hawaiian cane fields, so that the Japanese would know where Hickam Field was?"

I started to protest, but he interrupted and said, "I've seen pictures!" Well, it turned out that those "arrows" were simply irrigation ditches and the only reason why they pointed toward Hickam Field was because that was the lay of the land.

### JACL never created a 'rift' in the community; it was the anti-JACLers who had.

They also charged Japanese Americans were signalling to subs off of the Long Beach and Santa Barbara coasts, and this had been reported by the FBI. The truth was, these were merely farmers going to the lavatory (out-houses) at night, with their lanterns.

The Tolan committee insisted that they had "proof" of disloyalty in Hawaii; we had no way to communicate with the Japanese Americans in Hawaii, and no way to question the integrity of the congressmen on the committee.

These hearings also helped exasperate the public sentiment against the Japanese Americans, and the newspapers had a field day, reporting what the Tolan committee charged against the Japanese Americans.

JT: Let's turn to the CWRIC. What do you think this Commission should do? What should it be looking for?

MM: In spite of the excellent testimony given on the West Coast and elsewhere, there are gaps. For example, no one has really taken a survey of the actual financial losses of the Japanese Americans. I don't think the \$400 million figure that has been used by some is accurate, it's more like somewhere in the several billions.

Also, just as the U.S. and Japan are cooperating on projects today, I think the CWRIC should look into the victims of Hiroshima and Nagasaki.

I think we ought to find out what happened to our people, mentally and physically in the camps. The price that they paid—and they're still paying—should be looked into as well. So that the Congress and the American people will find out what happened not to 120,000 objects, but to 120,000 people, who were materially damaged by the evacuation process.

And I think that the CWRIC should, through its subpoena powers, look at all of the facts—so that not only the public, but the former evacuees themselves, can better understand what happened. #

#### EDITOR'S NOTE

● Understandably, the above answers to questions by John Taitsh for the JACL National Redress Committee should not be construed as being definitive or official because of circumstances surrounding this interview and the nature in which it was being conducted. Mike Masaoka, who was responding extemporaneously and also not knowing whether he could treat the subject matter exhaustively during the interview, has reserved the right of clarification and final response. We are of the opinion that after his reading this extract, carefully and faithfully reproduced from voice cassettes by Pete Imamura of the PC staff, Mike will be able to fully respond in writing.



## BAAR brief

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to the facts and instead accepted irrelevant, unsubstantiated and non-scientific proof of the danger of Japanese Americans to justify the differential treatment accorded to Japanese American. Further, the Court failed to determine whether any possible less drastic alternatives by which the government could achieve its purpose were available as required in cases involving racial classifications.

It is clear that the Supreme Court rejected the reality of racism in the exclusion of Japanese Americans. In *Korematsu*, the Court concluded that "Korematsu was not excluded from the Military Area because of hostility to him or his race". This ridiculous conclusion belies the military orders issued by General DeWitt, Commander of the Western Defense Command, which applied only to persons of Japanese ancestry. Thus, only Japanese citizens and non-citizens were systematically expelled en masse from the West Coast and imprisoned. Obviously, hostility to Korematsu and the Japanese race was a major reason for the exclusion.

United States citizens of Japanese ancestry were certainly treated differently than U.S. citizens of non-Japanese ancestry. These Japanese Americans were not only the specific target of the Executive and military orders but were also segregated by race into concentration camps. The feeble justification of military necessity for such treatment as discussed and refuted in Section IIB could not support the constitutionality of such unequal treatment.

Further, persons of Japanese ancestry were treated differently than other persons with ethnic affiliation to the enemy, i.e. Germans and Italians. The ostensible rationale for excluding and detaining Japanese was that ethnic affiliation to the "enemy" rendered Japanese dangerous to the war effort but this rationale could also have been applied to Germans and Italians. Members of those ethnic groups were not subjected to the systematic exclusion and detention to which Japanese were subjected.

Under the War Department plan, the entire Japanese population was excluded from certain areas but only Germans specifically identified for evacuation would be excluded and no evacuation of Italians would be conducted without the specific permission of the Secretary of War. German and Italian aliens who were excluded were even given the benefit of a hearing before action was taken against them; Japanese American citizens were not. Thus, not only were Americans of Japanese ancestry treated unequally compared to all other Americans, all Japanese were treated differently from other non-Japanese groups similarly situated in their ethnic affiliations to an enemy country.

Because the laws authorizing the curfew, exclusion and detention of Japanese Americans targeted a specific racial group for discriminatory treatment, discriminatory intent or motive was not necessary to prove illegal discrimination. Nevertheless, such discriminatory intent is evident in the statements expressed by officials in charge of the evacuation and relocation:

General DeWitt stated to the House Naval Affairs Sub-Committee in San Francisco on April 13, 1943: "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." (Note: In *Ex Parte Endo*, the Court held that Japanese Americans could not be detained any longer than necessary to determine loyalty.)

General DeWitt also told the Sub-Committee, "... You needn't worry about Italians at all except in certain cases. Also, the same for Germans except in individual cases. But we must worry about the Japanese all the time until he is wiped off the map."

In the Final Recommendation and Report authored by Colonel Bendisen and adopted under General DeWitt's signature: "The Japanese race is an enemy race and while many second and third generations Japanese born on United States soil, possessed of United States citizenships have become 'Americanized', the racial strains are undiluted."

Even the intent of President Franklin Delano Roosevelt to single out Japanese was apparent as reflected in an Attorney General Memorandum to the President dated April 17, 1943: "You signed the original Executive Order permitting the exclusions so the army could handle the Jap's. It was never intended to apply to Italians and Germans."

Executive Order 9066, Public Law 503 and the Military Orders issued authorizing exclusion and detention applied to a single racial group—the Japanese. Although the government asserted that military necessity justified the differential treatment accorded Japanese Americans, no hard evidence was produced in court or in public to support such a contention. The "evidence" accepted by the Supreme Court in upholding the exclusion and detention consisted of exaggerations, assumptions, pseudogenetics, racist myths and stereotypes. Further, less restrictive alternatives were available to the government in order to protect against espionage and sabotage (See Factual Analysis in IIB). Without a doubt, the conclusion is inescapable that the exclusion and detention of Japanese Americans violated fundamental rights to equal treatment guaranteed by the Fifth Amendment to the United States Constitution.

### II. THE EXCLUSION AND EXPULSION OF JAPANESE AMERICANS VIOLATED PROCEDURAL RIGHTS AND SUBSTANTIVE RIGHTS UNDER THE FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION.

The Fifth Amendment Due Process Clause of the United States Constitution guarantees that no person shall be "deprived of life, liberty, or property, without due process of law..." There are two aspects of the due process clause—procedural due process and substantive due process.

#### A. PROCEDURAL DUE PROCESS

Procedural due process requires a fair decision-making process before the Government takes action impairing a person's life, liberty or property. The fundamental requirements are that individuals be given sufficient notice of the charges against them and adequate opportunity to defend themselves against

the charges before any impairment occurs. *Rogers v. Peck*. These liberty and property interests may not be deprived without some type of hearing "at a meaningful time and in a meaningful manner." *Mathews v. Eldridge*.

Both aliens and citizens are granted Fifth Amendment procedural due process rights. "While an [alien] lawfully remains here, he is entitled to the benefits of life, liberty and property secured by the Constitution to all persons, of whatever race, within the jurisdiction of the United States." *Lem Moon Sing v. United States*.

The guarantee of procedural due process applies to government actions which are civil, as well as criminal, in nature, and which involve the taking of liberty and property alike. *Cole v. Arkansas, Anderson National Bank v. Lockett*.

Japanese Americans were never accorded notice of the charges against them or reasons for their incarceration and exclusion. They were never given an opportunity to respond to the charges or oppose their exclusion. Instead, they were put behind barb wire and forced to leave their homes and belongings on the unilateral decision of the Government.

This deprivation of rights has never been squarely confronted by the Courts. The Court in *Hirabayashi* and *Yasui v. United States* merely dismissed the due process issue by stating:

...If it was an appropriate exercise of war power, its validity is not impaired because it has restricted the citizen's liberty... Military control of the population... necessarily involves some infringement of individual liberty.

In failing to address the wholesale denial of the procedural rights of Japanese Americans, the Court implicitly validated the summary incarceration.

The Court in *Endo* finally acknowledged the procedural due process rights of Japanese Americans:

The war power necessarily gave [the Executive and Congress] wide scope for the exercise of discretion so that wars might be waged effectively and successfully... At the same time however the Constitution is as specific in its enumeration of many civil rights of individuals... (Thus it has prescribed procedural safeguards surrounding arrest, detention, and conviction of individuals, some of these contained in the Sixth Amendment... and the Fifth Amendment.

The Court, however, avoided answering the procedural due process issue and instead held that the Government could not continue to detain admittedly loyal Japanese Americans. In so doing, the Court implicitly revalidated the summary exclusion, detention and incarceration of Japanese Americans.

#### B. SUBSTANTIVE DUE PROCESS

Substantive Due Process protects individuals against laws which place arbitrary limitations on individual freedom of action. *Mugler v. Kansas, Meyer v. Nebraska*. Generally, the Courts will determine whether the Government action bears a rational relationship to a legitimate goal. However, when the Government action affects a fundamental right or involves racial discrimination, the Court will review the law with much greater scrutiny, testing the underlying factual basis for the legislation to determine whether the law furthers a compelling Government purpose with no less restrictive alternatives available. *Bolling v. Sharpe*.

The Government sought to justify the expulsion and incarceration of Japanese Americans and the limitations on individual freedoms engendered by its action by claiming that military necessity and the gravest imminent danger existed at the time of the evacuation. The Supreme Court in *Korematsu* and *Hirabayashi* agreed with the Government in upholding the curfew, exclusion and expulsion under the due process clause. The arguments presented below support the conclusion that no military necessity existed to justify the government's actions and that the Japanese Americans presence on the West Coast did not constitute the "gravest imminent danger."

The Justice Department, State Department and Navy had information even before the expulsion took place that Japanese Americans were no threat to the security of the United States. By July, 1941, the Justice and War Departments had already compiled a list of enemy aliens suspected of disloyalty. In October and November of 1941, a special representative of the State Department, Curtis B. Munson, was ordered by the President to obtain a precise picture on the degree of loyalty of Japanese Americans on the mainland and Hawaii. The reports were shared by the State, War and Navy Departments, as well as the Executive Branch.

Mr. Munson concluded that 90-98% of Nisei were loyal to the United States and that the Issei were weakened in their loyalty to Japan because they chose to make their homes here. Many Issei would take out American citizenship but for laws prohibiting their naturalization. Munson did not believe that Japanese Americans were more disloyal than any other group and he concluded that "there is no Japanese problem on the Coast." Lt. Commander K. D. Ringle submitted to the Chief of Naval Operations a report that the Japanese American problem was blown out of proportion, that Japanese Americans were no different from Germans, and that 85% of the Japanese Americans were loyal. He recommended that the situation be handled individually and that mass evacuation was unwise.

Other governmental agencies had identified the Japanese Americans considered dangerous prior to the exclusion. By December, 1941, the Alien Enemy Control Unit under the Assistant Attorney General had completed dossiers on aliens, including Japanese Americans, considered likely to commit sabotage or espionage. FBI Director J. Edgar Hoover felt that the demand for evacuation was based primarily upon political pressure rather than upon factual data. On December 7 and 8th, 1941, a round-up of individual aliens identified by the F.B.I. as potentially dangerous occurred and these aliens were placed in confinement.

No concrete evidence of sabotage or impending sabotage existed to justify the detention and exclusion. Even though searches and seizures of suspected disloyal Japanese Americans were conducted by the Department of Justice in Decem-

ber, 1941, nothing was obtained from the raids relating to items to be used for sabotage or espionage. No resident Japanese American was convicted to sabotage or espionage during the course of the war, and no act of sabotage or espionage in Hawaii or on the mainland by Japanese Americans was ever reported. Attorney General Biddle stated in a memo to FDR on February 17, 1942, that no evidence of imminent attack and no evidence of planned sabotage was found.

Because of their identifiable physical characteristics, Japanese Americans were not likely to have access to strategic areas, plants or equipment. Further, out of 120,000 Japanese Americans, one-half were under the age of 21 and one-quarter were young children. 43% were over 50 or under 15.

While the Court in *Hirabayashi* stressed that the Government had no time to separate the loyal from the disloyal and that the military was confronted with an extreme emergency, there was in fact no emergency situation requiring the immediate evacuation of Japanese Americans. The exclusion was not completed until long after Pearl Harbor and Japanese Americans lived in California throughout this whole period of time without incident. The first exclusion order was issued almost 4 months after Pearl Harbor and almost 11 months elapsed before the evacuation was completed.

The military's own assessment was that no threat of an attack on the West Coast existed. In February of 1942, Admiral Stark, Chief of Naval Operations, testified before a Congressional Committee that he did not believe it possible for any enemy to engage in a sustained attack on the West Coast. The military concluded in June of 1942 that the Battle of Midway decisively disposed of any possibility that the Japanese might marshal the naval effort necessary for an invasion of the West Coast. In early 1942, the Japanese code was broken enabling the United States to monitor naval operations of the Japanese and to determine when, if ever, an attack on the West Coast would occur.

Although the Government maintained that Japanese Americans on the West Coast constituted the gravest imminent danger to national security, it did not imprison Japanese in Hawaii en masse, even though Hawaii was more vulnerable strategically. Japanese constituted only 1.2% of the population on the West Coast, while constituting 32% of the population in Hawaii. This point only underscores the fact that the exclusion and incarceration of Japanese Americans was motivated by racist wartime hysteria. The Government could not take action against Japanese in Hawaii because they were part of Hawaii's economic and political base. Japanese on the Mainland, however, were powerless and posed a perceived economic threat to established business on the West Coast.

The United States Supreme Court upheld the Government's judgment of military necessity by validating certain assumptions, exaggerations and distortions of fact that had no basis in reality. Most of these assumptions were made by Lt. (Gen.) DeWitt, Military Commander of the Western Defense Command, in his final report and recommendations. Some of the facts cited to prove disloyalty are discussed below.

—DeWitt stated that FBI raids discovered ammunition, rifles, shotguns, maps and other instruments implying the possibility of espionage and sabotage. The United States Attorney General stated that no such evidence was found.

—DeWitt implied that Japanese Americans were sending signal lights to the Japanese which were visible from the Coast, but a Department of Justice investigation found nothing more than unfounded reports by excited persons.

—DeWitt asserted that interceptions of illicit radio transmissions indicated attempts by Japanese Americans to communicate with the enemy, but the Chief of the FCC Radio Intelligence for the division reported that there had been no illegitimate radio transmission or signaling from Japanese American Coastal residents.

—DeWitt pointed out that Japanese Americans occupied areas near strategic installations, including highways, power houses, power lines, gas pipe lines, telephone and transmission lines. Obviously, everyone must occupy areas near such installations in order to obtain the necessary services for modern living. The Japanese Americans rented land for agricultural purposes under high tension wires because the companies could not use such land for other purposes and the companies offered the land to the Japanese Americans. Japanese Americans resided in such areas long before the construction of such strategic installations and the geographic pattern of Japanese American resident was fixed by 1910.

—DeWitt claimed that Japanese language schools were sources of Japanese nationalistic propaganda and cultivated allegiance to Japan. The Court in *Hirabayashi* cited this claim to support its findings. Such schools obviously provided for communication between parent and child and in 1945 the War Relocation Authority branded DeWitt's statements a myth. In fact, in the 1920's Issei leaders revised the curriculum in these schools to assist in the Americanization of students. In so doing, they responded to social pressure to remove possible sources of Japanese nationalism.

—DeWitt found special significance in the dual citizenship system and its bearing on the loyalties of persons of Japanese descent. This claim was also cited by the Court in *Hirabayashi*. In 1899 Japan adopted a system upon which citizenship is based on the father's race. Japanese Americans had no choice as to whether Japan conferred citizenship on him or her. Dual citizenship declined after 1924, when the Japanese rule was changed to provide that children born in the United States automatically lost Japanese citizenship unless parents registered Nisei children at the Japanese Consulate. According to the War Relocation Authority Survey in 1943, between 15 to 25% of Japanese Americans were dual citizens. While this factor was used to incarcerate Japanese Americans, Germans and Italians in the United States also had dual citizenship and were not incarcerated as a race. No evidence linking dual citizenship and an individual's

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# CWRIC has option to reopen wartime Nisei court cases

The Founding Fathers of these United States provided that the military shall always be subordinate to civilian control. Only under emergency conditions where civil government ceases to function and martial law is imposed shall the balance of power reserved for civilian control be turned over to the military.

In a Civil War case it was stated that the military has no jurisdiction during wartime in areas outside the zone of active military operations in which civil courts are functioning [Ex parte Milligan].

And remember, during World War II, civil government continued to function on the West Coast and martial law was not imposed by emergency conditions.

It was Justice William O. Douglas who wrote the court's opinion in the Ex Parte Endo case recanted in his last book, "The Court Years" (Random House, 1980):

"Every Justice I have known feels in retrospect that he made mistakes in his early years.

... from which he later wants to retreat...

"That happened to me in the Japanese detention cases... The Japanese detention cases are another illustration of the way in which the state of war effects civil rights... The

the Constitution requires amending the Constitution as set forth in Article V of the Constitution.

The Congress, whenever two-thirds of both houses shall deem necessary, or on the application of two-thirds of the Legislatures of the

pus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed."

ARTICLE III Section 3: "Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

"The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted."

Here are constitutional issues involved:

(1) The Constitution is NOT suspended during wartime.

(2) The War Power is the power to wage war successfully, however it is not a license to violate explicit prohibited acts in the Constitution designed to safeguard the "civil rights" of American citizens.

(3) The Constitution explicitly confers upon Congress the power to declare war; the President the power to wage war.

## The Founding Fathers provided that the military be subordinate to civilian control.

evacuation case ..... was ever on my conscience."

### Misuse of the War Powers

The Japanese American wartime cases (Yasui, Hirabayashi, Korematsu) are examples of the flagrant abuse of the war powers through illicit use of an Executive Order of the President. Specifically, Executive Order 9066 can be construed as an illicit use of the war powers to circumvent specific prohibitions stipulated in the U.S. Constitution. Hence, to legitimize any act expressly prohibited by

veral states, shall propose amendments to this constitution, which shall be valid to all intents and purposes, as part thereof, when the same shall have been ratified by three fourths at least of the legislatures of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress.

Students of constitutional law now show how Executive Order 9066 had violated the following portions of the Constitution:

ARTICLE I, Section 9: "The Privilege of the Writ of Habeas Cor-

Further, the Congress is also conferred the power to prepare for, and successfully prosecute the war. However, it does not give the power to suspend the Constitution and to issue Executive Orders to carry out specifically prohibited acts.

(4) Wartime is not a license to do unnecessary and dictatorial things under the guise of the legitimate use of "war power."

But the Japanese American cases apparently allow government to violate the Constitution in wartime without a constitutional amendment.

The Supreme Court defaulted its main role of maintaining the checks and balances of government.

While dissenting opinions did point out that the Supreme Court failed to require the military to show military necessity, the same opinions avoided the major constitutional questions for application of Article V concerning Amendments in order to allow specifically prohibited acts in the Constitution.

The failure to examine broad constitutional questions under authority of *Marbury vs. Madison* and declare all the Japanese American cases void is a major error that must be corrected.

The Supreme Court failure to point out direct violations of prohibited acts on the part of the Executive, Congress and the military forthrightly, legalized the use of an Executive Order in time of war, without Martial Law being imposed to hand over to the military unprecedented power over civilians.

### 'COVER UP'

All the issues in the Japanese American wartime cases should be examined and studied very carefully. There are many dangerous precedents that give the military unprecedented power over civilians without the imposition of Martial Law.

To "cover up" the errors of E.O. 9066, even though rescinded, compounds the evil. The acquiescence and diverting the attention to lesser issues by government leaders, the press, the pressure groups, and local politicians because of political reasons exacerbate the problem.

The Constitution is the Supreme Law of these United States. It is the duty of all Government Leaders and citizens to restore and reemphasize that:

"WE ARE A GOVERNMENT OF LAWS - NOT MEN!"

"American citizenship" carries with it an obligation to have our Government recognize and correct errors. As in the Watergate scandal, an attempted "cover up" of specifically prohibited acts in the Constitution to avoid the constitutional issues should subject all government officials involved to impeachment.

Executive Order 9066 can be seen as a source of constitutional violations. Its opening line says:

"...the successful prosecution of the war requires every possible protection against espionage and against sabotage to national defense material, national defense premises, and national defense utilities.

Espionage and Sabotage carried on by American citizens would be acts of Treason against the United States.

Executive Order 9066, Public Law 503, and all military orders should be VOIDED as a violation of the Constitution. It is il-

legal detention under the Constitution to single out Americans of Japanese ancestry into concentration camps without charges, without legal counsel, without a trial and conviction would be a specific violation of Article III Section 3 of the Constitution.

Before imprisonment, a charge of Treason should have been brought against each American Citizen. He must be convicted by testimony of two witnesses to an overt act, according to the Constitution.

The Commission on Wartime Relocation and Internment of Civilians has conducted extensive investigations and hearings on the incident and grave legal errors have been disclosed. It has been suggested that this Commission exercise a very important option by making a recommendation to the Supreme Court to entertain procedures under a Writ of Error Coram Nobis to reopen the Hirabayashi, Yasui, Korematsu and Ex parte Endo case.

Traditionally, a Presidential Commission makes recommendations to Congress based upon its fact finding investigation. It is within the Powers of Congress to request the Supreme Court to reopen cases.

The more fundamental issues of actual violations of prohibited acts of the Constitution have been "covered up" by diverting attention to lesser issues. Forty years have elapsed resulting in the "cover up" of actual violations of specifically prohibited acts in the Constitution on the part of government officials, pressure groups and the media.

Thus, the Commission approach can serve as a vital ombudsman function by watching over the executive, congress and courts to uphold all the provisions of the Constitution. Many sensitive and emotionally charged political issues "too hot" for Congress to handle and falling on deaf ears can be approached in a more rational and productive manner through the courts through the efforts of presidential commissions acting as the "ombudsman".

Many volumes have been written about the violations of the "Bill of Rights." The Commission can serve a useful and public service by reopening cases through Writ of Error Coram Nobis and correcting the laws overlooked by the government. The new procedure if established will restore the concept that we are a government of laws and be a deterrent to any government official who will interpret the law that would be a threat to the meaning of Democracy and the United States.

### Marbury vs. Madison—The Constitution is Supreme

In an early landmark case in 1803 the Supreme Court held in *Marbury v. Madison* that the Constitution is the supreme law of the land. Congress, Executives, and the Courts are bound by the Constitution. The Supreme Court has power to "void" acts of the Executive and laws passed by Congress. The authority is implicit in the Supreme Court to uphold the Constitution and "void" any laws or acts that exceed the Constitutional power delegated to the President and Congress in conflict with the Constitution.

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## Past National JACL Presidents and Families

Dr. Terry T. (Marian*) Hayashi	1932-34	San Francisco
Hito/Aiko Okada	1946-50	Salt Lake City
Dr. Roy M./Alice Nishikawa	1956-58	Los Angeles
Shigeo/Dorothy T. Wakamatsu	1958-60	Chicago
Frank F./Terry Chuman	1960-62	Los Angeles
K. Patrick/Lily Okura	1962-64	Washington, DC
Kumeo A./Mary F. Yoshinari	1964-66	Chicago
Jerry J. (Joyce*) Enomoto	1966-70	
Raymond S./Yoshiko M. Uno	1970-72	Salt Lake City
Henry T./Sachie Tanaka	1972-74	Cleveland
Shigeki J./Kimi Sugiyama	1974-76	Springfield, Va
James F./Margarette Murakami	1976-78	Santa Rosa, Ca
Dr. Clifford I./Helen S. Uyeda	1978-80	San Francisco

\* Deceased

### from the Spouses of Deceased Past Presidents

Yone (Clarence Arai) Bartholomew	1928-30	Seattle
Mary (Dr. George) Takeyama	1930-32	Monterey Park
Mary (Dr. Thomas) Yatabe	1934-36	Skokie, IL
Misao (Jimmie Y.) Sakamoto	1936-38	Seattle
Tomoye (Walter) Tsukamoto	1938-40	Cupertino, Ca
Mine (Saburo) Kido	1940-46	San Francisco
Shizu (Dr. Randolph) Sakada	1950-52	Chicago
Yukie (George) Inagaki	1952-56	Venice, Ca

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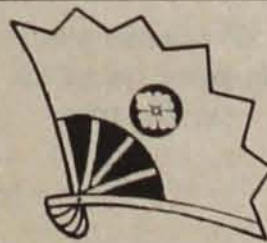
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# BERKELEY



<p>Holiday Greetings <b>Lucy Adachi</b> 3145 Washington Street San Francisco, Ca 94115</p>	<p><i>Hiroshi and Tazu</i> <b>KANDA</b> 1461 Catherine Dr. Berkeley, Ca 94702</p>	<p style="text-align: center;"><i>Greetings</i></p>		<p>Holiday Greetings JOHN &amp; YO <b>MURANISHI</b> 1355 Ada St. Berkeley, Ca 94702</p>	<p>SEASON'S GREETINGS <b>The Inouyes</b> Dave, Jan, Matthew Aarin &amp; Nathan 626 NEILSON ST. BERKELEY, CA. 94707</p>
<p><i>Long Live Issei, Nisei &amp; Sansei</i> <b>SHIG AND TAMI AKAGI</b> 1912 Chestnut St. Berkeley, Ca. 94702</p>	<p><i>Peace, Health and Joy</i> <b>HIRO AND EIKO KATAYAMA</b> 1440 California St. Berkeley, Ca. 94703</p>			<p>Holiday Greetings HARRY &amp; DOROTHY <b>NAKAGAWARA</b> 2654 San Carlos Dr. Walnut Creek, Ca 94598</p>	
<p>Season's Greetings GORO &amp; MARY <b>ENDO</b> 1510 McGee Berkeley, Ca 94703</p>	<p>Season's Greetings KIYOSHI, EMIKO DAVID, TAMIKO <b>KATSUMOTO</b> 2615 BROOKS AVE. EL CERRITO, CALIF. 94530</p>			<p><i>Wish you all a prosperous New Year</i> <b>TOM OUYE</b> 1837 Prince St. Berkeley, Ca. 94703</p>	<p>Happy Holidays <b>Sus and Yone NAKAMURA</b> 1926A Oregon St. Berkeley, Calif. 94703</p>
<p>Season's Greetings <b>Masuji &amp; Hiro Fujii</b> P.O. Box 2921 Oakland, California 94618</p>	<p><b>Peter and Elaine KAWAKAMI</b> Eric and Kelly 1731 Gouldin Rd, Oakland 94611</p>			<p><i>Happy Holidays</i></p>	<p>HAPPY HOLIDAY GREETINGS <b>Terry and Skip YAMASHITA</b> 2711 Tulare Ave. El Cerrito, Ca 94530</p>
<p><b>YOSHIE &amp; TAD FUJITA</b> and Grandson Matthew Kenji (now 2 1/2 Yrs.) 1818 Thousand Oaks Blvd. Berkeley, CA 94707</p>	<p><i>Happy Holidays</i> <b>Jean Y. Kita</b> 1452 Acton Street Berkeley, CA 94702</p>	<p>Season's Greetings Dick, Ethel, Jodie &amp; Derrick <b>NAKAMURA</b> 6935 Wilson Way El Cerrito, Ca. 94530</p>	<p>Holiday Greetings <b>Joe &amp; Asami Oyama CARRIE &amp; RICHARD</b> * Apt. 6, 1639-4th Ave., Oakland, CA 94606 (*New address pending sale of our Berkeley home.)</p>	<p>Holiday Greetings JAMES &amp; CHIYOKO <b>YANO</b> 1630 Franklin St. Berkeley, Ca 94702</p>	
<p><b>SATOKO AND JIM FURUICHI</b> DEREK AND MICHELE 1323 Cornell Ave. Berkeley, Ca. 94702</p>	<p>Season's Greetings to all my JAACL Friends <b>Beatrice Kono</b> 1380 Ada St. Berkeley, Calif. 94702</p>	<p><b>Edwin/Joanne NAKAMURA</b> Sean, Ian, Mark 1326 Arch St. Berkeley, CA 94708</p>	<p>SEASON'S GREETINGS <b>Min and Yae Sano</b> 1938 Oregon St. Berkeley, Calif. 94703</p>	<p><b>Shoji &amp; Kim TAKATA</b> Wayne, Bruce, Kent 2323 Oregon St. Berkeley, CA 94705</p>	<p>Merry Christmas-Happy New Year KAZ and KIMIYO <b>YOSHIMURA AND LOUISE</b> 1604 Virginia St. Berkeley, Calif. 94703</p>
<p>Best Wishes SADY &amp; AMY DREW &amp; RAVI <b>HAYASHIDA</b> 2018 Marin Ave. Berkeley, CA 94707</p>	<p>Season's Greetings <b>GEORGE &amp; CHIE KONDO</b> San Francisco ...</p>	<p><i>Best Wishes for the Holiday Season</i> <b>WILLIAM M. NAKATANI</b> 1737 Solano Ave. Berkeley, Ca. 94707</p>	<p>Season's Greetings CALVIN &amp; ETSUKO AND SATOSHI, KEIKO &amp; SEIJI <b>STEIMETZ</b> 1950 El Dorado Ave. Berkeley, Ca 94707</p>	<p>Season's Greetings <b>HAROLD &amp; NOBU MURAI</b> 1909 Downey Place El Cerrito, Ca. 94530</p>	<p><i>Happy Holidays</i> <b>SUSAN M. NISHIZAKA</b> 1644 Oxford #6, Berkeley, Ca. 94709</p>
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<p>Greetings to Our Friends Far and Near Fumie &amp; Susumu <b>Nakamura</b> 1601 Posen Ave. Berkeley, CA 94707</p>	<p>Season's Greetings ROY &amp; KIMIKO <b>MATSUMOTO</b> 1536 Hearst Ave. Berkeley, Ca 94703</p>	<p>Merry Christmas-Happy New Year <b>Gary &amp; Judy Oda COLLEEN AND ROGER</b> 13065 Parkhurst Dr. Oakland, Calif. 94619</p>	<p>Holiday Greetings <b>YOSHINORI TANADA</b> 10 Truitt Lane Oakland, Ca. 94618</p>	<p style="text-align: center;">HAPPY HOLIDAYS</p> <p style="text-align: center;"><b>Yangtze River Restaurant</b></p> <p style="text-align: center;">SHANGHAI, SZECHUAN, CANTON and PEKING CUISINE • FOOD TO TAKE OUT</p> <p style="text-align: center;">Open Everyday 11:30 a.m. - 10 p.m. Sat. &amp; Sun. 10:30 a.m. - 10 p.m.</p> <p style="text-align: center;"><b>1668-74 Shattuck Ave. Berkeley, CA 94709 - Tel. 548-2327</b></p>	
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恭喜發財

新年快樂



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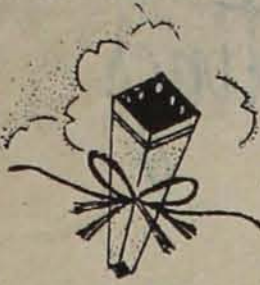
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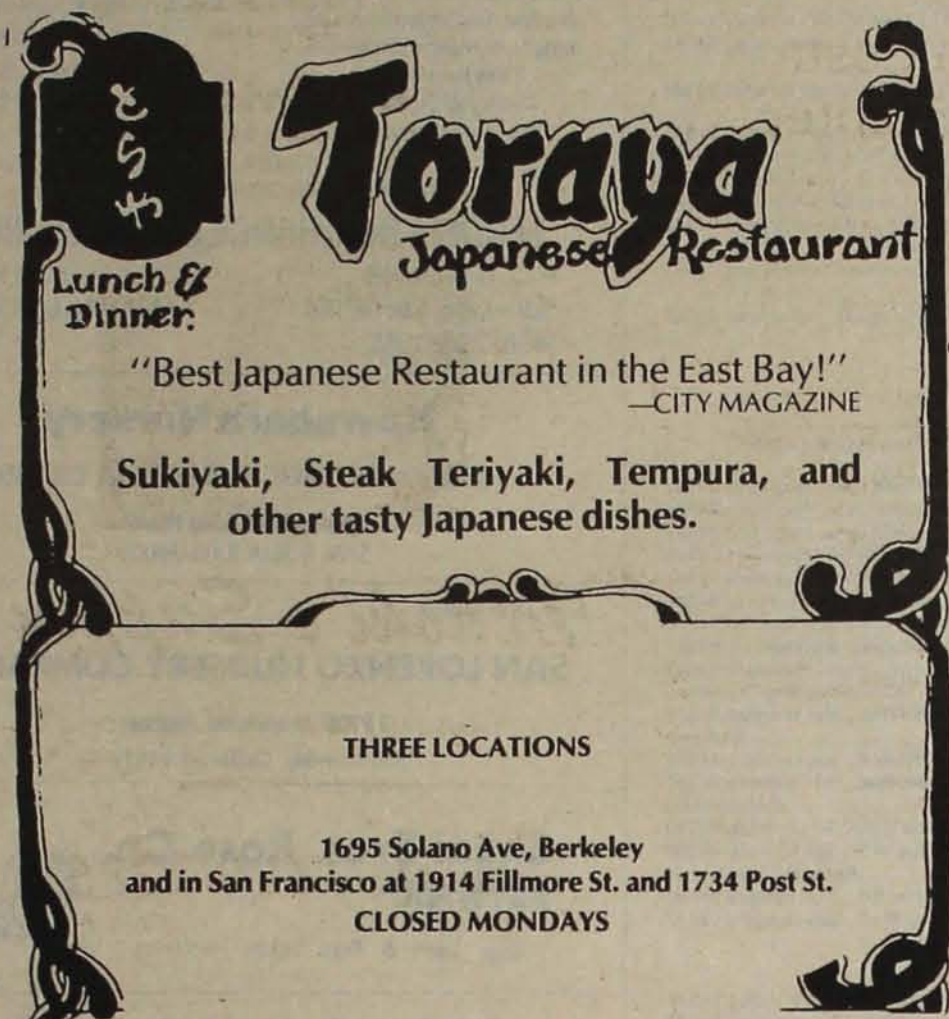
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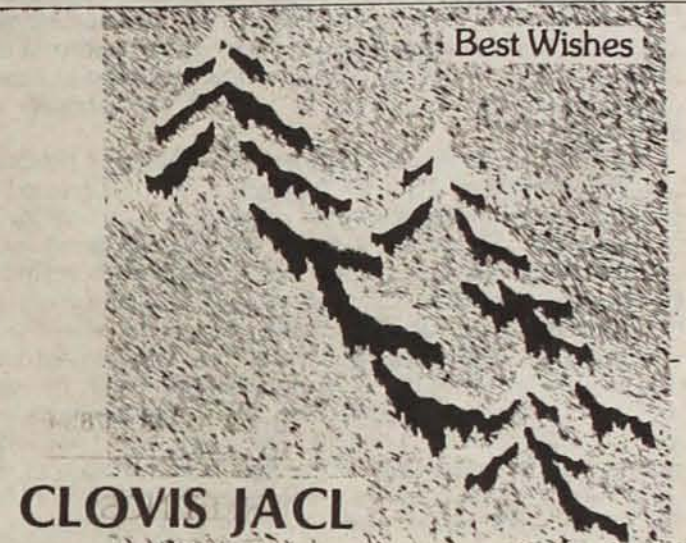
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## BAAR brief

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predisposition to espionage and sabotage had been presented.

—DeWitt pointed to the segregation and solidarity of Japanese Americans and to the position of influence that Japanese aliens held in Japanese communities. The isolation and lack of assimilation was stressed and was also cited in *Hirabayashi*. Japanese Americans were isolated in part because of restrictive covenants, social and economic pressures and their own preference which resulted in some segregation. Historically, Japanese American communities organized for mutual aid and the need for protection against racism. The relationship between social isolation and loyalty to Japan were flatly contradicted by competent sociologists, anthropologists and other social scientists. Issei actually did develop programs to assist the assimilation of Japanese Americans.

—DeWitt claimed that there were about 100 fascist or militaristic organizations that had some relation to Japanese organizations or individuals in the United States and that he had "definite information" showing the line of control from the Japanese government itself. The association of Japanese American leaders and Japanese consulates was cited by the Court in *Hirabayashi*. No evidence presented proved such a line of control. Organizations cited included one which was a sports and physical training society and another which assisted immigrants and acted as a clearing house for numerous social, commercial, educational and welfare groups.

—The Court in *Hirabayashi* also supported its findings by pointing to the fact that some Japanese Americans were educated in Japan. No more than 20% of the Japanese Americans attended schools in Japan. The practice of sending children to Japan for an education was motivated by the fact that many families could not afford to care for all their children here and that children could help prepare for the anticipated return of the family to Japan. No evidence existed that education in Japan caused disloyalty or created a potential for sabotage or espionage.

The Court in *Korematsu* supported its finding of potential disloyalty by stating that 5000 Japanese Americans refused to swear unqualified allegiance to the United States when the loyalty oaths were administered in the camps. First, the Court itself declared that it was limited to a review of the facts known to the Government at the time of exclusion orders; the Court could not properly rely on the results of loyalty oaths administered long after the incarceration had taken place. This evidence was based on a loyalty oath which was ambiguous and unreliable. The oath was taken under conditions of severe physical and psychological stress, while Japanese American were incarcerated and amid rumors and misinformation in the camps with regard to the consequences of the oath. The evidence also fails to account for the absurdity of asking alien residents to pledge loyalty to America when the laws specifically denied Japanese immigrants any opportunity to become naturalized citizens. The country that was their home had incarcerated them and now asked for a pledge of unqualified allegiance. The loyalty oath responses were therefore not indicative of the true loyalty of Japanese Americans before incarceration and cannot provide concrete evidence of potential for espionage and sabotage.

Aside from the fact that no military necessity or gravest imminent danger existed to justify the exclusion and incarceration of Japanese Americans, the Government's acts also violated the Fifth Amendment Due Process clause because adequate less drastic alternatives existed. The Government purpose of ascertaining the potential disloyal in the shortest amount of time could have been met by providing individual hearings or questionnaires. Other aliens arrested during the war were promptly examined by the Volunteer Alien Enemy Hearing Boards consisting of citizens appointed for the task by the Attorney General. Of the 1,100,000 enemy aliens in the United States, 9080 had been examined by the end of 1943 and only 4,119 were interned. In Britain, during World War II, 1120 tribunals were set up under citizens with legal experience to examine enemy aliens.

In referring to the incarceration in his annual report for June 30, 1943, the Attorney General stated that "the law does not require any hearing before the internment of enemy aliens. I believe that nevertheless, we should give each enemy alien who had been taken into custody an opportunity for a hearing on the question of whether he should be interned." Ironically, non-citizens were thus given hearings while citizen Japanese Americans were not.

Moreover, the Government had already identified Japanese Americans believed to be potentially dangerous before the incarceration had already begun and the information, along with a loyalty questionnaire, could have been used to determine the loyalty of Japanese Americans before incarceration. The Government stated that it had no time to separate the loyal and disloyal before the incarceration, but conducted the loyalty oath program in only a few months. The actual incarceration of Japanese Americans took about 11 months to complete, even though the Government viewed it as the most expedient solution to the problem of suspected sabotage.

### C. CONCLUSION

The incarceration of Japanese Americans clearly violated the procedural and substantive due process rights of Japanese Americans under the Fifth Amendment to the United States Constitution. No rational basis or compelling state interest existed to justify the exclusion and incarceration. The United States Supreme Court failed to seek the truth in the Government's assertion of military necessity and therefore wrongly upheld the Government's action.

### III THE EXCLUSION AND DETENTION VIOLATED CERTAIN RIGHTS GUARANTEED TO JAPANESE AMERICAN CITIZENS AND RESIDENT ALIENS UNDER THE BILL OF RIGHTS OF THE UNITED STATES CONSTITUTION.

The drafters of the Constitution regarded certain rights of persons as so fundamental that they embodied them in the Bill of Rights, the first ten amendments to the U.S. Constitution.

#### A. FIRST AMENDMENT FREEDOM OF SPEECH AND FREEDOM OF ASSOCIATION.

"Congress shall make no law...abridging the freedom of speech; or of the press; or the right of the people peaceably to assemble..."

First Amendment, U.S. Constitution.

The First Amendment secures to the people their right to be free from unconstitutional governmental intrusions on their Freedom of Speech, Freedom of the Press, Freedom of Assembly, Freedom to Associate and Freedom of Religion. The Freedom of Speech includes the right to speak freely and also the right not to speak at all, both protected by the Amendment's guarantee of "individual freedom of the mind." *Wooley v. Maynard*. The Freedom of Association guarantees that Americans be able to freely associate with other persons, organizations and other groups of the individual's choice. *NAACP v. Alabama*. Both of these freedoms occupy a preferred position above all other constitutional rights and are considered fundamental to the American legal tradition. *Murdock v. Pennsylvania*, *Thomas v. Collins*.

The First Amendment prohibits outright governmental restrictions on these freedoms, as well as those governmental actions which have a chilling effect upon the exercise of the freedoms. *Dombrowski v. Pfister*. In other words, even if a law or governmental action serves a valid governmental purpose, it will be struck down under the First Amendment if its effect deters individuals from freely exercising their free speech rights.

The exclusion, detention and incarceration of Japanese Americans suppressed and denied their rights to express their beliefs and cultural identity. The Government based the curfew, exclusion and incarceration on suspicions of disloyalty and later administered loyalty oaths to Japanese Americans in camps. These governmental actions clearly violated the First Amendment rights of Japanese American by creating a chilling effect on their Freedom of Speech and Association.

Japanese Americans were incarcerated solely on the basis of ethnic identity. The Supreme Court has repeatedly held that membership in a group may not be used as a basis for the imposition of differential treatment, because such treatment will deter individuals from freely associating according to their own free choice. Japanese Americans were placed in camps because the Government felt that, based on group association, Japanese Americans were likely to commit espionage and sabotage. In *Keyishian v. Board of Regents*, the Supreme Court stated that mere membership in a group without specific intent to further unlawful activities was insufficient to impose punishment. The Court in *United States v. Robel* held that the Government could not exclude members of Communist organizations from defense facilities, even if the Government had fears of espionage and sabotage because such an exclusion clearly violated the Freedom of Association. The exclusion of Japanese Americans from the West Coast was similarly motivated by the Government's fear of espionage and sabotage.

Americans of Japanese ancestry who protested the exclusion, detention, government actions or cruel conditions were often punished by transfer to more isolated and more restrictive camps. This punishment further deterred others from not only advocating their beliefs, but also from even holding beliefs and ideas that could in any way connect them to their ethnic heritage. Even camp newspapers were censored in violation of the Freedom of the Press.

The Government administered loyalty oaths to Japanese Americans after they were incarcerated in order to ascertain those possibly disloyal. These loyalty oaths violated the right of Japanese Americans not to speak. Such oaths have only been upheld where the Government has had a specific interest in the loyalties of employees in sensitive positions and where the oaths are narrowly drawn. *Baggett v. Bullitt*, *Keyishian v. Board of Regent*. Japanese Americans were not in strategically sensitive positions, particularly when already isolated in camps. The Japanese Americans were coerced into choosing between countries under circumstances of extreme duress, after their own country had incarcerated them and under threat of deportation or harsher punishment if they pledged loyalty to Japan. Issei were forced to state their allegiance to a country where they were ineligible for citizenship by law. Some Japanese Americans were in fact punished or deported for refusing to swear allegiance to the United States or for refusing to serve in the armed forces. The loyalty oath procedure denied Japanese Americans their freedom to believe and express themselves as they chose, and required instead that they pledge unqualified allegiance or face punishment for their expressions of beliefs.

#### B. FOURTH AMENDMENT RESTRICTION ON UNREASONABLE SEARCHES AND SEIZURES.

"...[T]he right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause."—Fourth Amendment, U.S. Constitution.

The Fourth Amendment protects both property and persons against seizures by Government unless there is "probable cause" to suspect criminal activity; that is, specific facts and circumstances must be articulated which would lead to the conclusion that a crime was committed and that the individual or property seized was actually part of that crime. Seizure of a person includes arrest and investigatory detention. *Davis v. Mississippi* and any other detention of a person against his will. *Cupp v. Murphy*. Generally, warrants are required for an arrest or search, unless emergency circumstances exist or the crime is committed in the presence of an officer or the arrest is made incident to a "hot pursuit."

During World War II, Japanese Americans were detained in concentration camps based on a group suspicion that crimes of espionage or sabotage would be committed. Although not formally "arrested", the effect of the Government's action was undoubtedly a physical detention against their will.

No specific crimes were committed by Japanese Americans nor were there acts presented sufficient to constitute "probable cause" to suspect criminal activity by Japanese Americans. The only evidence existing to justify the detention of Japanese Americans was some evidence that Japanese Americans were considered possible security risks and thus subject to detention. As shown in Section IIB, this evidence consisted of distortions and mis-statements which were contradicted by evidence that Japanese Americans posed no threat to security. In short, Japanese Americans were detained in violation of their Fourth Amendment rights because no probable cause existed upon which to base a seizure or arrest.

Furthermore, the Government's acts violated the Fourth Amendment requirement that prior to any detention, facts must be produced that each individual detained was linked to the crime in question. Rather than provide proof of individual involvement, the Government relied on a group suspicion and ignored any individual connection to any specific crime.

No warrants were issued for the arrest of Japanese Americans. Additionally, none of the exceptions to the warrant requirement existed to justify the failure to obtain warrants which should be issued by a neutral magistrate. No exigent circumstances existed to justify the failure to obtain warrants for the arrest of Japanese Americans. Even assuming some crimes had been committed and further assuming that some individual Japanese Americans were connected to the crime, the military necessity proffered by the Government to justify the detention was unsupported (See IIB, supra). Such assumptions contradict the facts which even existed at the time of the detention and thus Japanese Americans were denied Fourth Amendment rights during World War II.

#### C. THE EXCLUSION AND DETENTION OF JAPANESE AMERICANS VIOLATED THE FIFTH AMENDMENT.

The Fifth Amendment of the United States Constitution guarantees that "no person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment of a Grand Jury." An infamous crime has been defined as one for which punishment includes imprisonment *Mackin v. United States*. All felonies are considered infamous crimes *Michel v. Louisiana*.

Although never formally charged with any crimes, Japanese Americans were incarcerated on the supposition that they had the potential for committing acts of treason and sabotage. Such acts have historically been among the most heinous of capital crimes.

Based on these presumptions, extended detention was imposed. Yet at no time was a Grand Jury convened to assess any "facts" supporting the conclusion that Japanese Americans had committed any crimes. Rather, mass incarceration was simply put into immediate effect. Because of this, it must be concluded that the Fifth Amendment right to a Grand Jury was summarily violated. The expulsion and exclusion of Japanese Americans also violated the Fifth Amendment right to due process, which is outlined in Section II.

#### D. SIXTH AMENDMENT RIGHT OF ACCUSED TO A SPEEDY AND PUBLIC TRIAL BY JURY, TO BE INFORMED OF THE NATURE AND CAUSE OF ACCUSATION AND ASSISTANCE OF COUNSEL.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury...to be informed of a nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.—Sixth Amendment to the U.S. Constitution.

The right to trial by jury has been called "fundamental to the American scheme of justice." *Duncan v. Louisiana*. The right attaches where there is a criminal prosecution for a serious crime and the potential for punishment is imprisonment for more than 6 months. *Duncan v. Louisiana, supra*. The right to counsel attaches in all felonies and misdemeanors which can actually result in an imprisonment ("a loss of liberty") *Argersinger v. Hamlon*.

Although Japanese Americans were not formally charged with a crime nor convicted of any crime, the process of detention and incarceration was in the nature of a criminal prosecution. Japanese Americans were accused of criminal espionage and sabotage, both considered felonies. Many Japanese Americans were detained for several years. No Japanese Americans were given the benefit of a trial, hearing, cross examination of the accusers or legal representation. Japanese Americans were in effect considered "guilty" of sabotage and espionage and suffered imprisonment in concentration camps as punishment for their suspected crimes. Persons accused of actually committing crimes such as treason or sabotage were given a trial by jury, the right to counsel and other Sixth Amendment rights while Japanese Americans were not.

"Where a prosecution is 'technically' criminal in nature, the Sixth Amendment rights attach." *United States v. Zucker*. Executive Order 9066 and Public Law 503 were essentially criminal in nature, with criminal penalties provided for violation. In his dissent in *Korematsu*, Justice Roberts pointed out that the entire evacuation was administered "under pain of criminal prosecution." The Supreme Court in *Ex Parte Endo* finally admitted that the internment may have violated "...the prescribed safeguards surrounding the arrests, detention and conviction of individuals...contained in the Sixth Amendment..."

In essence, then, the process of accusation, detention and incarceration was, in effect, a "technically criminal" prosecution. The Government simply short-cut the Constitution by arresting and imprisoning Japanese Americans without the benefit of a trial by jury, notice of the charges and the assistance of counsel in violation of their Sixth Amendment rights.



#### E. EIGHTH AMENDMENT PROSCRIPTION AGAINST CRUEL AND UNUSUAL PUNISHMENT.

"Excessive bails shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted."—Eighth Amendment to the United States Constitution.

The Eighth Amendment restricts the kind of punishment inflicted on individuals convicted of crimes. It prohibits punishment which is grossly disproportionate to the severity of the crime. *Ingraham v. Wright*.

Although not formally "convicted," Japanese Americans were effectively punished merely for suspected potential for espionage and sabotage, both of which are felonious crimes. Japanese Americans were imprisoned even though no crimes were committed and no evidence of espionage or sabotage existed. The punishment was meted out, therefore, only on the basis of suspicion and not on the basis of a conviction.

The Court in *Robinson v. California* held that punishment for an individual's status is cruel and unusual punishment. There, the Court said that a State could not punish a person for being a drug addict, without requiring a showing of illegal activity in using or purchasing the drug. Similarly, Japanese Americans were punished merely for being of Japanese ancestry, rather than for participation in espionage or sabotage.

The Government actions effectively sentenced Japanese Americans to detention and incarceration under harsh and cruel conditions. Abuse of prisoners and inhuman prison conditions have been found to violate the Eighth Amendment. *Jackson v. Bishop*, *Holt v. Sarver*. The camps were crowded and provided no privacy. Internees did not receive adequate medical care and their diet was poor. Mail was censored and the internees were subject to curfew. Temperatures in the camps ranged from -30° to 130° as the camps were established in the harshest environments. Japanese Americans lived in converted horse stables at several Assembly Centers established at race tracks, where these citizens and resident aliens were subjected to the stench and filth of the stables. 75% of illnesses at Santa Anita Racetrack resulted from living in the horse stalls. Federal Judge William Denman found Tule Lake worse than Federal prisons. Internees at Tule Lake were subject to punishment by severe, debilitating beatings in the stockades and were not allowed visits from family. Banishment has also been held to be cruel and unusual punishment. *People v. Lopez*. Japanese Americans were effectively banished from the West Coast.

#### IV. IN ADDITION TO RIGHTS SPECIFICALLY ENUMERATED IN THE CONSTITUTION, CERTAIN IMPLIED AND FUNDAMENTAL RIGHTS WERE ALSO VIOLATED.

The specific guarantees in the Bill of Rights have penumbras that encompass other basic, fundamental rights which give the enumerated constitutional rights life and substance. These penumbral rights create zones of privacy and guarantee the freedom of individual choice. *Griswold v. Connecticut*. If these rights are violated by the Government, the Government must demonstrate a compelling state interest justifying the violation and must show that it had no other alternative method for meeting its interests which are less restrictive of the individual rights.

##### A. RIGHT TO PERSONAL PRIVACY.

The right to personal privacy guarantees the sanctity of the individual and his or her family.

Japanese Americans were denied all personal privacy through invasions of their homes and Government searches, *Stanley v. Georgia*, and through imprisonment in barracks with paper-thin walls and community bathrooms and mess halls.

The right guarantees the freedom parents have to choose how best to educate their own children, *Pierce v. Society of Sisters*. As early as 1923, the United States Supreme Court stated "the Japanese parent have the right to direct the education of his own child without unreasonable restrictions; the Constitution protects him as well as those who speak another tongue." *Farrington v. Tokushige* (upholding the right to send the child to Japanese language schools). Japanese American children were forced to leave the schools in their own communities and to attend those schools established in the camps.

The right of parents to direct the upbringing of their own children, *Pierce, supra*, was violated, as much control over the family was taken from the parents by the Government.

##### B. THE RIGHT TO TRAVEL.

The right of individuals to travel freely across the country is a personal right which may not be conditioned except upon a compelling Government purpose. *Dunn v. Blumstein*, *Shapiro v. Thompson*, *United States v. Guest*.

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Japanese Americans were unable to leave camp, except upon permission of the camp director after a review of the internee's file. The Director would consider whether the person had a means of support, whether the person was willing to make reports, the person's opportunity for employment and finding housing at the proposed destination, and other factors relating to the effect of granting leave upon the public peace. These conditions effectively nullified the right to travel.

Before, during and after their incarceration Japanese Americans were restricted in their travel to certain regions of the United States. All of these restrictions denied these individuals their Right to Travel.

##### C. RIGHT TO VOTE.

The right to Vote is a fundamental political right, because it is preervative of other basic civil and political rights. *Yick Wo v. Hopkins*, *Reynolds v. Sims*.

Attorney General Warren ruled that Japanese Americans who left California for the camps were not considered "residents" for voting purposes and barred them from participating in elections.

#### V. THE MILITARY WAS WRONGFULLY ALLOWED BY THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES TO EXERCISE POWER OVER CIVILIANS

##### A. THE POWER OF THE MILITARY TO EXERCISE CONTROL OVER CIVILIANS IS LIMITED TO SITUATIONS OF MARTIAL LAW.

Fundamental to the existence, maintenance and value of our democratic form of government is the principle that the military has no jurisdiction over civilians. In the Japanese American cases, however, the United States Supreme Court permitted the executive and legislative branches to dangerously expand the military's previously strictly limited power over the civilian population.

The danger of allowing military control over civilians was well expressed in the leading Civil War era case of *Ex Parte Milligan*. In that case the Court considered a hypothetical proposition remarkably similar to the case of the Japanese American incarceration:

... The proposition is this: that in a time of war the commander of an armed force (if in his opinion the exigencies of the country demand it, and of which he is to judge), has the power, within the lines of his military district, to suspend all civil rights and their remedies, and subject citizens as well as soldiers to the rule of his will; and in the exercise of his lawful authority cannot be restrained, except by his superior officer or the President of the United States.

If this position is sound to the extent claimed then when war exists, foreign or domestic, and the country is subdivided into military departments for mere convenience, the commander of one of them can, if he chooses, within his limits, on the plea of necessity, with the approval of the Executive, substitute military force for and to the exclusion of the laws, and punish all persons, as he thinks right and proper, without fixed or certain rules.

The statement of this proposition shows its importance; for, if true, republican government is a failure, and there is an end of liberty regulated by law. Martial law, established on such a basis, destroys every guaranty of the Constitution, and effectively renders the "military independent of and superior to the civil power"—the attempt to do which by the King of Great Britain was deemed by our fathers such an offense, that they assigned it to the world as one of the causes which impelled them to declare their independence. Civil liberty and this kind of martial law cannot endure together; the antagonism is irreconcilable and, in the conflict, one or the other must perish."

The Supreme Court in *Milligan* clearly announced the rule that military power over civilians is strictly limited to circumstances of actual Martial law. Although *Milligan* has been often relied upon to define this strict limitation on the military's authority over civilians, the Supreme Court in the Japanese American cases ignored *Milligan* and the fundamental principle for which it stands. In *Hirabayashi* and *Ex Parte Endo*, the Court dismissed the issue of military control over civilians, which control was clearly exercised by the military during World War II, by stating that civil authority involvement in the exclusion and incarceration made *Milligan* inapplicable. Had the Court directly faced the issue of limitation of military control over civilians and applied existing precedent, it would have been compelled to invalidate the military orders restricting, excluding and incarcerating Japanese Americans.

In *Milligan*, the Court defined the constitutional limits on military power over civilians:

If in foreign invasion or civil war, ... on the theatre of active military operations, where war actually prevails, there is a necessity to furnish a substitute for the civil authority, ... and as no power is left but the military, it is allowed to govern by martial rule until the laws can have their free course. As necessity creates the rule, so it limits its duration ...

Martial law cannot arise from a threatened invasion. The necessity must be actual and present; the invasion real, such as effectually closes the courts and deposes the civil administration. (*Milligan*, at p. 297; emphasis added.)

Martial law was never declared on the West Coast during World War II, nor did any of the other situations required by the *Milligan* standard exist to justify allowing the military to issue orders controlling civilians. In fact, the scope of the congressional and executive grant of power to the military over civilians during World War II was legally unprecedented in American history. As the Ninth Circuit Court of Appeals noted in transferring *Korematsu* to the United States Supreme Court:

... this Court knows of no decision in which citizens residing in areas not subject to martial law have been required by military authorities to observe a curfew and to report to military control stations for exclusion from a military area designated by military authorities. (Emphasis added.)

The Supreme Court in *Hirabayashi* and *Korematsu*, however, apparently unconcerned by the manifest lack of precedent and the threatening implication of military control over the civil sector, dismissed *Milligan's* principles as outmoded in light of the technology of modern warfare. This approach is misleading and establishes an extremely dangerous precedent. The Court in *Milligan* sought to protect against tyrannical acts by the government under the justification of military necessity. Instead of being outmoded, the *Milligan* principle of limitation of military power is even more relevant in these times of constant threat of military confrontation.

As the Supreme Court itself recognized in *Duncan v. Kahanamoku*, which struck down an actual declaration of martial law in Hawaii during World War II:

Legislatures and courts are not merely cherished American institutions; they are indispensable to our government ... [T]he military should always be kept in subjection to the laws of the country to which it belongs ... The established principle of every free people is, that the law shall alone govern; and to it the military must always yield. (Emphasis added.)

##### B. THE DELEGATION OF LEGISLATIVE POWER TO THE MILITARY UNDER WHICH JAPANESE AMERICANS WERE EXCLUDED AND INCARCERATED WAS UNCONSTITUTIONAL.

Congress may properly delegate only its administrative, rather than basic legislative power. When Congress does delegate any of its administrative powers, it must establish clear policies and standards for the guidance and limitation of the agency carrying out the congressional command. *Opp Cotton Mills v. Administrator*. The delegation under Executive Order 9066 and Public Law 503 was clearly improper both because it conferred a basic power to legislate and because it lacked Congressionally established standards and guidelines which would prevent an arbitrary abuse of the conferred power. *Schechter Corp. v. United States*.

Executive Order 9066 provided that military authorities were to establish military districts:

... from which any or all persons may be excluded,

and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. (Emphasis added.)

Executive Order 9066 was ratified by Congress in Public Law 503 (Congressional Act of March 21, 1942). This grant of power to the military was clearly an unconstitutional delegation of the power to legislate.

By their very wording Public Law 503 and Executive Order 9066 clearly provided no standards or guidelines to define the scope of the military powers. The Court, in fact admitted that Public Law 503:

... does not in terms establish a particular standard to which orders of the military commander are to conform, or require findings to be made as a prerequisite to any order. (*Hirabayashi*, at 103.)

However, the Court purported to "cure" the vagueness of the Congressional Act by reading it in conjunction with Executive Order 9066. The Court thereby implied that the military orders controlling civilians were limited by the "standard" that all such orders be related to the protection of "military resources" against "espionage and sabotage". Moreover, the Court concluded that the military met the "standard" because the initial orders issued by General DeWitt stated that "future actions" (emphasis added) would be taken "in order to prevent espionage and sabotage."

Such desperate bootstrapping by the Court is even more apocryphal when examined in light of *Opp Cotton Mills v. Administrator*, which the Court relied on to justify the delegation of civil legislative power to the military. Although the *Hirabayashi* Court wholly adopted *Opp's* language and reasoning, the delegation of legislative power in *Opp* to a civil agency administering the Fair Labor Standards Act could not by any stretch of imagination be said to be similar to the sweeping powers granted the military under Executive Order 9066. In *Opp*, the Court held that Congress had (1) delegated only administrative powers (the power to set minimum wages) and (2) the Congress had in fact established specific guidelines and standards (including standards for setting minimum wages, specific factfinding requirements and guidelines, and specific limitation and definitions of the powers of the program administrator).

No such safeguards attended the delegation of legislative power to the military under Executive Order 9066 and Public Law 503. Indeed, the only "standard" created, that the military action be related to the prevention of espionage or sabotage, was nullified because the Court accepted the military's mere assertion, that the orders met such a standard, as conclusive "proof" of meeting the standard. Additionally, orders could be made by the military whenever deemed "necessary or desirable" (again wholly by the discretion of the military commander) and the commander had complete discretion to determine what measures would be taken.

The incarceration of the Japanese Americans was clearly the type of discretionary act specifically prohibited by *Milligan*, for, as the Court expressly recognized in *Endo*, the entire program of detention and incarceration was not authorized either by Congress or the President. In the absence of any significant limitation on the actions of the military, the delegation of civil legislative power to the military under Executive Order 9066 and Public Law 503 was plainly unconstitutional.

##### C. THE COURT FAILED TO PROPERLY REVIEW THE MILITARY'S EXERCISE OF POWER OVER CIVILIANS.

Under our constitutional system of checks and balances the courts are charged with the duty to review the actions of the military, executive and legislature in their exercise of the war power. The actions so taken remain subject to review by the courts to assure that constitutionally protected rights are not trampled in the government's fervor to fulfill so-called "military necessity."

In *Sterling v. Constantin*, the Supreme Court expressly rejected the notion that "mere executive fiat" in an alleged emergency was its own justification, and stated:

The contrary is well established. What are the allowable limits of military discretion and whether or not they have been overstepped in a particular case are judicial questions. (Emphasis added)

In upholding the military orders restricting, excluding and incarcerating Japanese Americans, the Court not only failed to protect the procedural and substantive rights of Japanese Americans, but also condoned the violations of constitutional rights described in the previous sections of this brief. In this regard:

1. The Court failed to rigorously scrutinize the Japanese American cases according to the high standard it announced in cases of overt race discrimination. It is ironic that *Hirabayashi* and *Korematsu* stand for the proposition that the odious nature of racial discrimination renders "all legal restrictions which curtail the civil rights of a single racial group ... immediately suspect," and that the "courts must subject [such discrimination] to the most rigid scrutiny" (*Korematsu*, at 216) for the Court in these cases, despite its words, failed to follow these principles. (See discussion in Section I, *supra*)

2. The Court further failed to address the denial of civil liber-



## BAAR brief

ties of Japanese Americans, including due process, the rights included in the Bill of Rights and the protection against Bills of Attainder. (See discussion in Sections II, III, IV and VI, supra).

3. The Court failed to confront the unconstitutionality of the entire detention program.

The *Hirabayashi* court justified cursory examination of the military actions by stating:

...if conditions call for the exercise of judgment and discretion and for the choice of means [by the warring branches] it is not for any court to sit in review of the wisdom of their action or substitute its judgment for theirs.—*Hirabayashi*, at 95, emphasis added.)

This proposition, that in time of war the military, executive and legislative branches are released from the constitutional check of judicial review, flies in the face of existing precedent. In a classic statement of the war powers, the Court in *Home Building and Loan Association v. Blaisdell* asserted:

[T]he war power of the Federal Government is... a power to wage war successfully... But even the war power does not remove the constitutional limitations safeguarding essential liberties. (Emphasis added.)

If constitutional safeguards are to endure during the exercise of the war powers, the judicial power to review any such exercise, which is the sole mechanism for assuring protection of individual rights, must necessarily remain intact as well.

The court's duty to preserve the balance between individual rights and government interests through the exercise of judicial review is not diminished in wartime. The Court's duty to assure that constitutional rights are not sacrificed is perhaps most urgent in time of war, when public fear, race hatred, hysteria and greed may likely come to the fore.

The starkest example of the Court's failure to review military actions was in its refusal to examine the constitutionality of the detention program. The Supreme Court never examined the constitutionality of the overall program detaining Japanese Americans. Its refusal to do so, however, was typical of the Court's irresponsible treatment of the fundamental issues presented in the Japanese American cases and in a larger sense, the failure of the Court system in times of national crisis.

From the beginning, the Court limited its review in such a way as to avoid reaching the issue of the constitutionality of the incarceration. *Hirabayashi* limited itself to the issue of the validity of the curfew; *Korematsu* ruled only on the exclusion issue; and, in *Endo*, only the validity of the detention of Japanese Americans after they were found to be "loyal" was considered. In all of these cases, the Court was squarely faced with the validity of the underlying program of incarceration. The Court thus tolerated the removal and incarceration of the entire West Coast Japanese American population without ever directly facing the question of its legality.

In fact, in *Endo*, the Court set a dangerous precedent by expressly assuming the legality of the detention program despite its express recognition that there was no Congressional authorization for the incarceration in Public Law 503 or its legislative history.

The Court's failure to examine the detention in its true form as an improper military action over civilians leads to the intolerable result that the detention order was not reviewable because they were military in nature. The Court's analysis is even more suspect in light of its holding in *Endo* that the detention was carried out by a civil agency, the War Relocation Authority. The Court thereby found that it was unnecessary to determine whether the detention was an unconstitutional exercise of military power. This schizophrenic result was not and should not be the law.

### D. CONCLUSION.

Despite the Court's purported standard of review, the Court required no factual justification for the military order. Instead, the bare, unsupported assertions of General DeWitt were accepted as conclusive "proof" of the validity of the military actions. (See discussion in IIB, supra). The Court based its conclusion that the removal and imprisonment were not racially motivated group punishment merely on the military claim that there were an "unascertained number" of disloyal Japanese Americans who could not be immediately segregated from the loyal. Judicial review was thus cut short by the military's simple claim that it was doing what it had to do.

The failure of the Supreme Court to apply constitutional standards of review to military orders excluding and imprisoning Japanese Americans gave judicial sanction to the most sweeping deprivation of civil rights conducted by the Federal Government in modern times and greatly diminished civil control over the military. The Court's failure sets the stage for recurrence of similar deprivations of rights in times of future conflict. It is a chilling footnote that the Nazi defendants at the Nuremberg Tribunal repeatedly cited *Hirabayashi* and *Korematsu* as part of their defense, claiming that the "evacuation" of the Jews was a "military necessity."

The courts in general, and the United States Supreme Court in particular, are charged with preservation of the balance between individual rights and government interests by virtue of their responsibility to exercise review over governmental actions which infringe individual rights. This duty is clearly not diminished during times of war.

### V. EXECUTIVE ORDER 9066 AND PUBLIC LAW 503 WERE UNCONSTITUTIONAL BILLS OF ATTAINDER.

#### A. INTRODUCTION.

Article I, Section 9, clause 3 of the United States Constitution states that "No Bill of Attainder or Ex Post Facto law shall be passed." The general definition that has been most commonly used to describe a Bill of Attainder is "a legislative act which inflicts punishment without trial." *Cummings v. Missouri*.

Prior to the adoption of the U.S. Constitution, Bills of Attainder were frequently used in England to deal with persons who at

tempted, or threatened to attempt, an overthrow of the Government.

Although these bills were originated in England, they were used during the American Revolution when legislatures of the thirteen colonies passed laws against Tories, *Cooper v. Telfair*. Thus, when the Constitution was written, the drafters had very clearly in mind that "the Bill of Attainder Clause was intended not as a narrow, technical (and therefore soon to be outmoded) prohibition, but rather as an implementation of the separation of powers, a general safeguard against legislative exercise of the judicial function, or more simply—trial by legislature." *United States v. Brown*.

The judicial system today views the ban on Bills of Attainder as far from antiquated; the doctrine survives as a continuing protection against legislative enactments which effectively impose punishment without judicial protection.

There are, essentially, three elements which must be proven in order to classify an Executive Order or statute as a Bill of Attainder: (1) lack of judicial trial, (2) specific identification of a group, (3) nonjudicial punishment. *U.S. v. O'Brien*.

#### B. NO JUDICIAL TRIAL WAS ALLOWED FOR JAPANESE AMERICANS.

In order to constitute a Bill of Attainder a law must arise from an authority other than the judiciary, (*Cummings v. Missouri*, based on the comments of the framers of the Constitution in publications such as the "Federalist Papers.") In such instances, the legislature, above and beyond its normal duties, exercises the powers and offices of a judge without the safeguard of trial. It also determines the sufficiency of proof without regard to rules of evidence, passes guilt, and fixes punishment based on its own idea of the gravity of the "offense." *Cummings v. Missouri*. Following such a definition, it would appear that Public Law 503 passed by Congress and providing criminal penalties for violation of executive order 9066 and military orders met this requirement. As discussed previously in the section on the Bill of Rights, no trial was ever conducted for each of the Japanese Americans incarcerated during World War II. Rather there was only a summary round-up and detention.

The question of whether the Executive Order itself meets this requirement is less clear, because of the Bill of Attainder is generally applied to legislative enactments. However, there has been language by the Supreme Court indicating that executive action may also be prohibited as a Bill of Attainder. Thus in *Joint Anti-Fascist Refugee Committee v. McGrath*, the Court, commenting on an Attorney General's list of communist organizations drawn up pursuant to an Executive Order, stated that it was inconceivable "that the authors of the Constitution, who outlawed the Bill of Attainder, inadvertently endowed the executive with power to engage in the same tyrannical practices that had made the bill such an odious institution."

#### C. EXECUTIVE ORDER 9066 AND SUBSEQUENT CONGRESSIONAL LEGISLATION SPECIFICALLY SINGLED OUT AMERICANS OF JAPANESE ANCESTRY.

The second requirement of specific identification of a group can be met when the legislature of Executive singles out and designates an individual or ascertainable group. *Cummings v. Missouri*. The Bill of Attainder must positively identify a group; it is not simply a variant of the Equal Protection Clause, invalidating legislative acts which burden some individuals or groups but not all other plausible individuals. *Nixon v. Administration*. Rather as the Court said in *U.S. v. Brown*: "the vice of attainder that the legislature has decided for itself that certain persons possess certain characteristics and are therefore deserving of sanctions, not that it has failed to sanction others similarly situated."

In this case, the target of the Executive Order was sufficiently specific, being all persons of Japanese ancestry or descent. The Order was not drawn so broadly to include other potential "domestic enemies" (i.e., Germans or Italians). A particular ethnic group, identified by race, was singled out. Commenting on this aspect of the Executive Order, Harry S. Freeman, a law professor at Cornell University, stated that "to deprive a citizen of his rights because of his ancestry... is unconstitutional as a Bill of Attainder," *Genealogy, Evacuation and Law*, Cornell Law Quarterly 457 (1943).

#### D. THE EXCLUSION AND INCARCERATION OF JAPANESE AMERICANS CONSTITUTED PUNISHMENT.

The question of whether legislative or executive action assesses punishment sufficient to meet Bill of Attainder standards is the final requirement to be analyzed. Although the Supreme Court has stated that the analysis of this issues depends upon the particular circumstances of a case, the Court has defined three tests which may be applied to an act to determine whether sufficient punishment is evident: (a) historical treatment, (b) function, (c) legislative or executive motivation. Historical treatment involves an analysis of punishment in terms of what historically has been regarded as punishment for Bill of Attainder purposes *Drehnan v. Stifle*. Imprisonment, banishment, and confiscation of property are punishment historically associated with Bills of Attainder. *Cooper v. Telfair*. However, as early as the *Cummings* case, the Supreme Court has defined "punishment" very broadly for purposes of Bills of Attainder, stating that "the deprivation of any rights, civil or political, previously enjoyed, may be punishment, the circumstances attending and the causes of deprivation determining this fact." Again, as discussed earlier, the incarceration of Japanese Americans involved wholesale deprivation of a number of civil and constitutional rights, culminating in extended detention. Therefore, there was punishment sufficient to meet the test of historical analysis.

In an amicus brief to the *Hirabayashi* case, it was argued that banishment was a punishment which historically characterized Bills of Attainder. Support for this contention was based on *In re Yung Sing Hee* which involved a Chinese American citizen who went abroad but was excluded from the United States on her return under the Chinese Exclusion Act. The Supreme Court in

that case concluded that such exclusion of a citizen amounted to a banishment prohibited as a Bill of Attainder. "Bills of this sort have been most usually passed in times... of violent political excitement; periods in which all nations are most liable to forget their duties and to trample upon the rights and liberties of others."

Although exile and incarceration within a country has not generally been considered banishment (which usually refers to exile outside a country), it should be recognized that the exclusion of Japanese American citizens from certain geographic areas of the United States was, in essence, banishment, and therefore punishment.

The "function" test for punishment involves an analysis by the Court of whether the law being challenged can reasonably be said to further non-punitive legislative purposes *Cummings*. The professed purpose of the Executive Order was to prevent any sabotage and espionage based on ethnic affiliations, which would imply a preventative rather than an overtly retributive purpose. Yet one aspect of the "function" test made explicit in the *United States v. Brown* at page 458, is that punishment is not merely defined as retribution for past events, but may also include inflicting deprivation on some group in order to prevent future misconduct.

In *Brown* the Court pointed out that a measure designed to be preventative was consistent with traditional purposes of criminal punishment, stating "it would be archaic to limit the definition of 'punishment' to 'retribution'." Punishment serves several purposes: retributive, rehabilitative, deterrent and preventive. One of the reasons society imprisons those convicted of crimes is to keep them from inflicting future harm, but that does not make imprisonment any less punishment."

The Court in *Brown* pointed out that England enacted Bills of Attainder, passing judgment "that a given person or group was likely to cause trouble and therefore inflicted deprivation upon that group in order to keep it from bringing about the feared event." Also as noted earlier, bills were passed by the colonies in order to keep Tories from effectively assisting the British in the American Revolution. Thus the Executive Order which had an expressed purpose of being preventative in nature, was actually a Bill of Attainder.

The motivation test is essentially an assessment of the purposes or motives of the legislative authority, that is, whether Congress evidences intent to punish *United States v. Lovett*. Such a determination does not have to be based on a formal legislative announcement of punishment *Nixon*. However, an examination of the Congressional Record and history of a bill is helpful *Nixon*. The Congressional Record containing discussion of the Executive order and subsequent legislation is replete with demands for incarceration based on imagined subversive activity. Such evidence of punishment motivation supports classification of these acts and Bills of Attainder.

One other point made by the Court in *Nixon* was that "in determining whether a legislature sought to inflict punishment of an individual, it is often useful to inquire into the existence of a less burdensome alternative by which that legislature could have achieved its legitimate non-punitive objectives." As discussed in the due process section of this brief, less burdensome alternatives clearly existed. The most obvious alternatives are judicial trial or a hearing where there was clear evidence of criminal activity, or increased security on the West Coast. Failure to consider implementing these alternatives, however, is only further indication of the punishment motives behind the Executive and Legislative enactments.

### E. CONCLUSION

Based on the above, Executive Order 9066 and subsequent legislation were Bills of Attainder. There were no judicial trials, Japanese Americans were specifically identified as the target of the order, and non-judicial punishment was inflicted. As such, there was a clear and distinct violation of the Constitution's prohibition against Bills of Attainder.

## CONCLUSION

The issues, arguments and counter-arguments raised by the expulsion and imprisonment of both non-citizen and citizen Japanese during World War II are impossible to summarize in such a short brief. The legal questions have been the subject of numerous law review articles and constant public debate over the years. We have nevertheless attempted to bring to this Commission's attention what we believe to be the most significant issues and arguments challenging the constitutionality of the expulsion and imprisonment.

There is, however, a greater fundamental question regarding the nature of the accusations which the government employed to justify the exclusion and detention. Without constitutional guarantees before imprisonment, Japanese Americans were forced into camps on a charge of "suspicion for potential for sabotage and espionage"—a charge which could never have even supported an arrest much less a conviction or imprisonment.

Nevertheless, racism, economic greed and war time hysteria shortcut normal constitutional procedures and rights and allowed a mere suspicion to validate the expulsion and imprisonment of an entire race of people including both citizens and non-citizens. The ultimate disgrace is that the United States Supreme Court, the last refuge for adjudication of the rights of the poor, the unpopular and the powerless, abdicated its responsibility and capitulated to the pseudo-arguments of the military in holding that the curfew, expulsion and detention of Japanese Americans was unconstitutional.

We do not believe that Japanese Americans or the Japanese American community bears the burden of "proving" that wrongs were committed against Japanese Americans during World War II. What was done to Japanese Americans was morally wrong without regard to any legal rights violated. Neverthe-

Continued on Page 121



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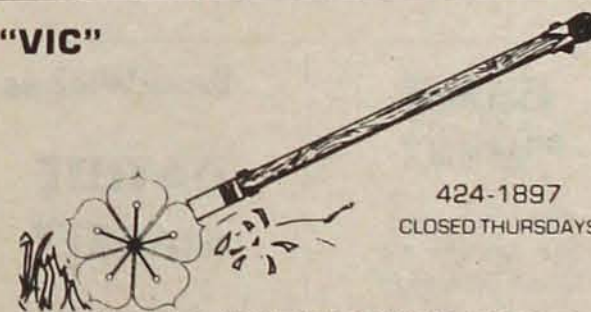
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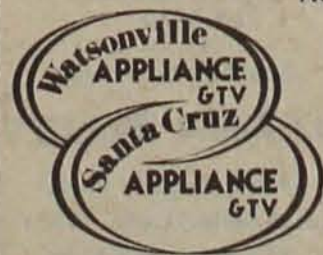
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SEASON'S GREETINGS

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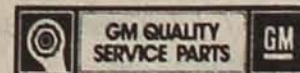
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## Joyous Holidays



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† Season's Warmest Greetings

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Japanese Worship      English Worship  
9:40 A.M.      11:00 A.M.

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Phone: 629-3876      Rev. Hiroshi Izumi

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WE THANK our friends who have graciously included their Greetings and Advertisements in this Holiday Issue.

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IKUTA, Nobo/Rose .....1707 Butler Av, Los Angeles 90025  
ISHIZUKA, George/Mary .....3101 Virginia Ave, Santa Monica 90404  
KANEgai, George/Toy .....1857 Brockton Av, Los Angeles 90025  
KISHI, Stella/Frank .....1942 Stoner Ave, Los Angeles 90025  
KUMATAKA, Ron/Merry .....2728 Federal Ave, Los Angeles 90064  
KURASHITA, Mitzi .....12023 Aneta St, Culver City 90230  
MOCHIZUKI, M/M Jiro .....1949 Barry Ave, Los Angeles 90025  
MURAMATSU, Mori/Mae .....1253 Berkeley st, Santa Monica 90404  
NAKANO, Otto/Eleanor & Family .....3108 Corinth Ave, Los Angeles 90066  
NAKANO, Mrs Ruby K .....2005 Purdue Ave, Los Angeles 90025  
NAKASHIMA, Denby/Army .....1936 Colby Av, Los Angeles 90025  
NAKASHIMA, M/M Fusao .....2919 Delaware Av, Santa Monica 90404  
NOMURA, Jack/Ethel .....3480 Wade St, Los Angeles 90066  
OHARA, Bud/Veronica .....1516 Colby Av, Los Angeles 90015  
OKINAGA, Richard, Janice, Elaine .....1933 Federal Ave, Los Angeles 90025  
OKITSU, M/M Joe .....3017 Delaware Ave, Santa Monica 90404  
SAKURAI, Bill/Yuki .....1729 Amherst Av, Los Angeles 90025  
SATO, Yuki .....1933 Federal Av, Los Angeles 90025  
SETO, Joe/Grace & Family .....3654 Berryman Ave, Los Angeles 90066  
SUSUKI, Dr. Takeo/Marian; Family .....1928 Armacost, Los Angeles 90025  
TAKEDA, Roy/Nancy; Pat, Dean .....1702 Wellesley, Los Angeles 90025  
TAKESHITA, Shig/Aiko; Jeanie .....1431 Armacost, Los Angeles 90025  
TOMINAGA, Harry/Virginia .....1716 S Westgate, Los Angeles 90025  
TSURUDA, Fumi/yo .....2913 Dell Av, Marina Del Rey 90129  
UCHIDA, Setsi/Elmer .....1921 Stoner Av, Los Angeles 90025  
USHIJIMA, Jean M .....City Clerk, Beverly Hills 92010  
WATANABE, Lucille/Tom .....1917 Butler Av, Los Angeles 90025  
YAGI, Aki/Steve .....3950 Berryman Av, Los Angeles 90066  
YAMAZAKI, Sidney/Kathi; Jeanine, Lisa, David .....3141 Butler Ave, Los Angeles 90066

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Secretary .....Carolyn Asari  
Treasurer .....Wiley Higuchi  
Membership .....Shunji Asari  
Insurance .....Toshiko Ogita  
Newsletter .....Irene Koseki

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Danar Abe      June Taomae  
Fred Taomae      Kathryn Doi Todd  
Ken Takemoto      Muriel Merrell

## Season's Greetings



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MABEL OTA .....Vice-President  
ALICE NISHIKAWA .....Membership, Insurance  
ALICE TAKAMI .....Secretary  
DR. ROY NISHIKAWA .....Off. Delegates  
SHIG TAKAMI .....Board Member  
GEORGE TAKEI .....Board Member

Heartiest Holiday Greetings  
to All My Friends  
from Coast-to-Coast and  
Throughout the World

S. Ruth Y. Hashimoto  
321 Lagunayra Drive NE  
Albuquerque, New Mexico  
87108



## Season's Greetings FRENCH CAMP JACL

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Recording Secretary .....Toyo Foundation  
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Corr. Secretary .....Dorothy Ota  
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Official Delegate .....Mats Murata  
Alternate .....Hiroshi Shinmoto  
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Redress .....Mats Murata  
Scholarship .....Albert Pagnucci  
Sunshine .....Florence Shiromizu  
1000 Club .....Tosh Hotta



## TWIN CITIES JA CL

All Addresses: MINNEAPOLIS, MN (554—), except as noted.

ABE, Tosh/Mary, Matthew, Mark	9624 Vincent Rd, Bloomington (31)
ASAO, Ted/Rose, Phillip, Paul	5033 Avon Dr, Mound 55364
BENNETT, John/Lani	5212 Abbott Av S, Mpls (10)
van DOOJEWERT, Willy/Linda	1112 Benton Wy, Arden Hills 55112
EZAKI, Ben, Sr/Yuri	7808 Glenroy Rd, Mpls (35)
FARRELLS, James/Sylvia	5208 W. 111th St, Mpls (37)
FUJIMOTO, George/Elizabeth	16425 - 15th Av N, Plymouth (47)
FUJIMOTO, George/Yas	16425 - 15th Av N, Plymouth (47)
FUJINO, Chester/June	3125 Colorado Av S, St Louis Pk (26)
GERZA, George/Harriet, Family	6608 Nordic Dr, Edina (35)
HARA, Ed/Kathy; Michael, Kristen	2160 Orchard Av N, Golden Vly (22)
HARA, Sam/Kimi	2825 Lakeshore Av N, Maple Plain 55359
HARA, Tom/Kathy; T J, Beth	2605 Xenwood Av S, St Louis Pk (16)
HARADA, Mas/Nobu	3217 Flag Ave S, St Louis Pk (26)
HASHIMOTO, Tsuyoshi; Bruce	878 Fremont Ave, St Paul 55106
HAYANO, Dr. George/Mrs. Family	941 Rice Creek Terr., Fridley (32)
HIROTA, Barb	3000 Ewing Av N, Mpls (22)
HIROTA, Susumu/Michi	3000 Ewing Av N, Mpls (22)
HONDA, Sam/Lily, Kenji, Nancy	3935 Lakewood, White Bear Lake 55110
IJIMA, Dr Isaac/Shizu	315 Edgewood Ln, W St Paul 55118
IJIMA, Wesley/Sylvia	3828-41st Av S, Mpls (06)
IKEDA, Clarence/Mieko	#8 4200-1st Av S, Mpls (09)
ISERI, Shigeru	3835 Vincent Av N, Mpls (12)
ISHIBASHI, Kiyoshi/Yuki	197 Prescott St, St Paul 55107
IWAGO, Steve; Dennis	961 Pandora Dr NE, Fridley (32)
JOHNSON, Reiko; Lisa Ann, John Lee	5480 Horizon Dr, Fridley (21)
KANNO, Thomas/Setsuko	2690 Sumac Ridge, White Bear Lake 55110
KATO, Kenneth, Jonathan, Matthew	6950 Idsen Ave, Cottage Grove 55016
KAWAMURA, Kodo/Toshi; Dale	8610 Queen Av S, Mpls (31)
KITAGAWA, David/Mary, Mike, Alan	9124 Emerson Av S, Bloomington (20)
KOSOBAYASHI, Tom/Marian	400 Rambler Ct, Roseville 55113
KOSOBAYASHI, Tomo/Sumiko, Kevin	6901 W. 23rd St, St Paul (26)
KUSUNOKI, Kiyoshi/Pearl	7132 - 4th Av S, Richfield (23)
KYONO, Warren/Fumi	4133 Beard Av S, Mpls (10)
LUE, Derrick/Louise T	222 Eighth St SE, Mpls (14)
MAKINO, Henry K	110 W Diamond Lake Rd, Mpls (19)
MASUDA, William G	1783 Portland Ave, St Paul 55104
MATSUMOTO, Yoshio/Alice; David	1881 Lamplight Dr, Woodbury 55125
MATSUYAMA, Ted/Yuriko	3211 Scott Av N, Golden Valley (22)
MORIGUCHI, Tom/Tayeko	5949 Holiday Rd, Minnetonka 55343
MURAKAMI, James/Anna, June, Marianne, John	4810 W 42nd St, St Louis Park (16)
NISHIDA, Dr George/Toshiko	5124 Winsdale Av N, Golden Valley (22)
NOMURA, Howard/Emi	1821 Goodrich Ave, St Paul 55105
ONO, George/Masaye	1600 Kentucky Ave S, St Louis Pk (26)
OTANI, Rev Andrew/Kiyo	3021 E Calhoun Pky, Mpls (08)
SAITO, Isamu/Julia	877 - 20th Av SE, Mpls (14)
SAKAMOTO, James/Takako	3017 Georgia Av S, St Louis Park (26)
SAVITT, Steve/Gloria Kumagai, Mariko	2724 Drew Av S, Mpls (16)
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SUMADA, Tsuguo/Reiko	2534 Yukon Av S, St Louis Park (26)
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TSUCHIYA, Paul M.	1445 Kentucky Av S, St Louis Pk (26)
TSUCHIYA, Tak/Marian; Craig, Colin	9013 N Minnehaha Cir, St Louis Pk (26)
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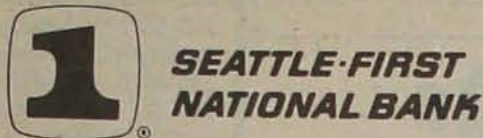




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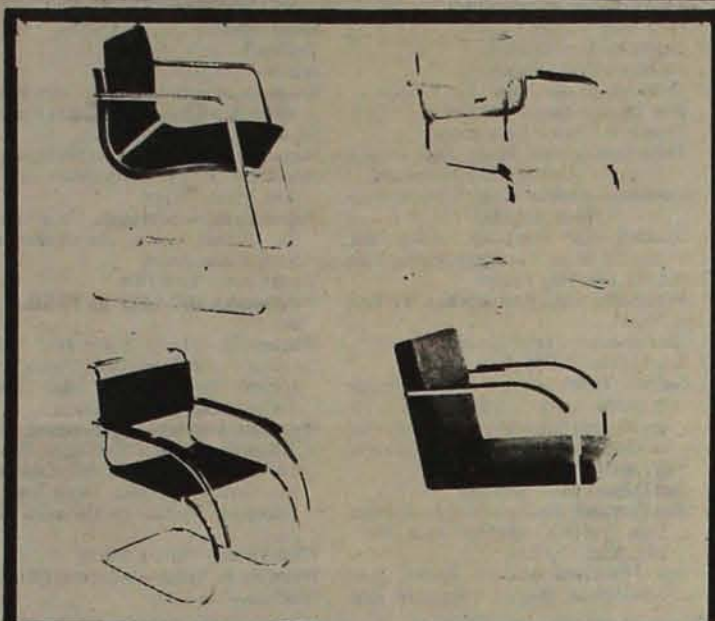
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# Tsukamoto

Continued from Page 38

Church, two large halls, two lodges and two garages. There were also a barber shop, Reese's general store, a hardware store, a hotel, two wineries, a cover factory and seven fruit shipping companies dealing mainly in grapes. The Florin Fruit Growers Assn., S.A. Gerrard Co., Pacific Fruit Exchange, W.O. Davis Co., Frank H. Buck Co. and Nash de Camp Co. They handled grapes grown by both Japanese and white farmers in the community.

The community had its U.S. Post Office and the Southern Pacific Railroad station and depot.

## Into the Maelstrom of Racial Strife

Geographically, Florin was too close to the political activities within the State Capitol to escape scrutiny of ambitious politicians gathered in Sacramento to make laws. They were ready to jump at any opportunity that would advance their climb up the ladder to power. Thus, this busy little community, seemingly of such meager consequence, was dragged into the limelight of a statewide race struggle.

California was beginning to tame the great West, freeing itself from the remnants of a lawless Gold Rush era. The young state was growing, when the influx of Oriental immigrants became subjects of profit-seeking Hearst and McClatchy papers maneuvering a vigorous anti-Oriental campaign. It was not difficult for pressure groups who cried against the "foreigners crowding our land" when the Chinese arrived to revive the same outcry of resentment against the Japanese.

Furthermore, the Japanese were accused of being unforgivably tenacious, working too hard, succeeding too rapidly, being too sharp a competitor, economically! They were a sinister threat to job security for too many in America! Florin was a conspicuous example of such a threat.

Politicians came to deliver campaign speeches in the little town of Florin. J. Nitta remembers listening in amazement to such an important public figure as the U.S. Secretary of State William Jennings Bryan (D), who spoke one day on the platform of the Florin Southern Pacific Depot. Even Governor Hiram Johnson (R) toured this community to gain some understanding about this most "troublesome Japanese problem" in California. As always, as every dignitary or reporter came seeking a first hand look over Florin, Reese was ready to close shop to be a "first-class escort" while viewing the Japanese farms. He had ample opportunity to describe the "tragic situation" in Florin, since the coming of such a great "mob" of immigrants from Japan.

To this day, after much research, there are still unanswered questions about: who were the people writing such vicious lies? What kind of persons were they who would want to be a part of such a despicable conspiracy? Why did it happen in California to the Japanese?

Innocently this community was drawn into the conflict that raged in the State Legislature before the Alien Land Law was finally passed in 1913. A most disheartening situation happened in Sacramento, noted in "Gulick's American Japanese Problem (1914)."

A delegation of American farmers from Florin, who had great respect for the Japanese, were alarmed that there was such a damaging bill being considered in Sacramento. They went as a body to have their views heard, to voice opposition against the Alien Land Law. They were surprised to be ignored and refused a chance to be heard! They then deperately tried to get their views made public through the newspaper as not all of Florin felt as John Reese.

The Japanese never raised their voice in anger or resentment over unfair treatment or were they in any way causing any disturbance in this community. All they did was work hard, raising good berries and grapes. The white farmers in Florin who keenly felt the injustice of this discriminatory law about to be passed tried in vain to counteract the development but failed. The alarmists won their victory.

It is strongly questionable as to how much racial tension really existed among the white community and the Japanese. Was it all manufactured and by only a few or maybe one man? How cruel and unfair it has been to the good people of Florin to be so accused and by implication judged in history. Thus the stage was set and for many tragic years, the Japanese in California were harassed by the troublesome legal battle involving their property after the Alien Land Bill became law.

There were yet other goals in the plans of those who keenly felt they were engaged in a noble task to rid this land of Orientals.

Riding on the success of this legislative achievement, the pressure groups on the west coast became more determined to accelerate a campaign which ultimately affected the lives of a great many Japanese people in Japan and America. By 1924, the United States government passed the Japanese Immigration Exclusion Act. This was to have deeper implication for the United States in the international scene.

## Florin School Segregated in 1923

Because of the intense publicity to discredit the Japanese to push the Exclusion Act, Florin was overrun in the 1920s by politicians stirring hate and resentment. Their campaign engulfed the Japanese. Before the Nisei understood what had happened, the Florin East School had become a racially segregated grammar school. The Japanese had not been aware that a new red brick school house was being constructed for them by parents of the white children as one of four known segregated schools in California for Orientals. (Others were at Walnut Grove, Isleton and Courtland—all in Sacramento County!)

Sixteen "school segregated" years later when Nisei became of age and a Florin JACL was active, we approached R. E. Golway county school superintendent, to have the segregated school dropped. He and Florin school board members Harry French,

Continued on Page 112

# The PC People Who Count

This is a continuation of tradition started in 1978 with respect to our Holiday Issue, publishing our own honor list of "People Who Count"—the chapter officers, members and volunteers who help make this mammoth edition possible. This is our way of thanking them for their "come through" spirit for PC.

- Alameda**—Y. Koike, Jug Takeshita, Nancy Tajima, Toshi Takeoka, Anna Towata.
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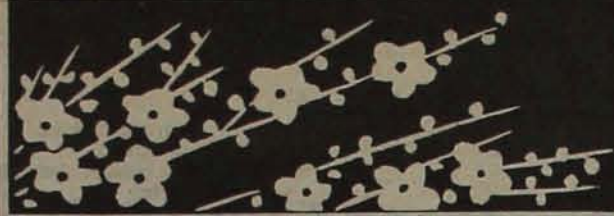
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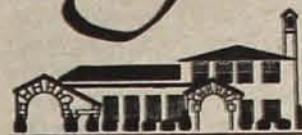
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FROM HAPPY VALLEY: by Sachi Seko

## Christmas Chronicles

The past is sweet, sometimes. Memories make it seem that way, particularly during the holiday season. Reminiscence is in the air, everywhere. Some say that Christmas isn't what it used to be. Perhaps because children, to whom the holiday essentially belongs, have become rather boring adults. And in the process, have lost their innocence. Something like a parting with virginity. They will never again retrieve the same purity.

In the yearning for yesterday, we drag from the closets and attics of our deteriorating minds, a collection of mismatched memories. Together with ancient ornaments that hang precariously from the tree, year after year. They express tradition. So do the stories that are repeated annually of Christmas past. In the spirit of the season, permit this sentimental meandering. I'm sure you know it all, for our Nisei experiences cannot have been so dissimilar. At least, I hope not.

Do you remember the year when a hired Santa was popular? It could have been one of our son's best Christmases. There was only one flaw. Santa Claus was drunk. Not a little tipsy, but thoroughly soused. Our friend had been selected as his company's Santa. He had the physical dimensions and voice to match. The genuine goods. Since he had use of the rented costume until after Christmas, he offered to play the role for our son and our nephew. On Christmas eve, we arranged to leave the gifts in the unlocked car trunk. Later that night, the jingle of bells announced his arrival.

The two little boys rushed to the window. There came Santa, weaving up the walk. From the size of the bag he was carrying, the children assumed the load was sufficiently heavy to throw him off balance. I knew better. "Your friend," I whispered to my husband, disowning him on the spot. "Ho, ho, ho," my husband's friend bellowed. The children giggled in nervous anticipation. The door was thrown open and in staggered Santa. The boys could not repress their joy. It was on their faces. Until Santa spoke. There was no benevolence in his voice. "Have you been good boys?" he asked. He might as well have asked, "Do you want a fight?" Noticing the belligerence, the children were not quite certain. Tears welled in their eyes. Their little bodies trembled. The hesitant answer, "Most of the time." Only minutes before, while they were laying out cookies and milk for Santa, they had been boasting they were good all the time. After his departure, the children were told they could open their gifts. They insisted we lock the door. They didn't want to risk a return visit. Santa was no friend. In fact, the next year, I couldn't get my son near any store Santa. He

screamed and fled from them all.

Surely, you remember the year of the fresh tree. Not a store bought tree, but one you selected and cut yourself. Perhaps it is a practice less common in other areas. In Utah, it is traditional. The U.S. Forest Service issues permits to allow the procurement of one fresh tree per family. Almost everyone I know has taken advantage of the opportunity at least once. Whatever our national origins, it is an experience we want to share with our children. We hope they will remember it as part of their childhood.

A caravan of friends started in the dark one morning. Most cutting areas are located a considerable distance away. The road is rough at best. Some sections of the route had no roads. Often, we drove over abandoned railroad right-of-ways, where tracks had been removed. It was a terrifying ride. When we finally reached the area, there were many trees. We could not agree on the appropriate one. My husband wanted a perfect pine. Nisei admire perfection. My son wanted the most pathetic one. He had been brainwashed at school. It was the year compassion was being taught. Conservation came later. After walking miles, inspecting trees, I just wanted to go home.

My husband finally made a selection. I said it was too large. He ignored me. On the way home, the wind began to blow. All the way up and back, my son sang a song about the Christmas tree. He had learned it at school. Do something to make him shut up, I asked my husband. We stopped by a ravine and our friends joined us. A fire was built. An enormous pot of chili was warmed over it. Coffee and cocoa were made. It was a fine picnic, if you like sand in your food. It reminded me of some of the delicacies I had at Gila. An unmistakably similar gritty texture. When we reached home after dark, the tree did not fit through any of the doors. It had to be trimmed in several places and lost its perfection. The cat immediately established territorial rights to it. It liked to climb in the branches. Every night, we heard the crash of the tree and lights and ornaments. Every morning, I propped it back up, while my son squealed with laughter. Then he proceeded to sing the song about the Christmas tree. Every morning.

And of course, there was the year of the dummy. The years of the trains and the cakes and the Salvation Army and the Rescue Mission. Who can forget the Christmas of the road-runner? Each year glistens with its particular memory. Some funny, some sad. I'll not take you back to those. You know them all. They hang from trees, everywhere. Memories. #



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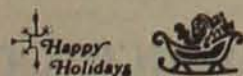
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HIDA, Allan/Vivian; Susan, Gary ..... 605 N 104th St (26)  
 HIDA, Edward/Heidi; Ed Jr, Karen, Catherine ..... 2109 N 73 St (13)  
 MIYAZAKI, Jim/Lucille; Cheryl, Kurt, Kevin ..... 2034 Pleasant St (13)  
 RANDLETT, Sam/Thelma (Warn) & Family ..... 2001 N 72 St (13)

ELSEWHERE IN WISCONSIN

ARATANI, Makoto/Diane ..... 13018 W Meadow Ln, Brookfield 53005  
 HASEGAWA, Andy/Chiyoko; Amy ..... 6978 Heathmeadow Ct, Greendale 53129  
 KANAZAWA, Henry/Miye ..... 4502 Windigo Trail, Madison 53711  
 KUSUDA, Paul/Atsuko ..... 200 Tompkins Dr, Madison 53716  
 MAYESHIBA, Andrew/Irene; Steve, Christopher ..... 718 Mackinac Ave, South Milwaukee 53172

NAKAMOTO, Dr Wilbur/Fumi; Carol, Karen ..... 16860 El Dorado Dr, Brookfield 53005  
 NARUO, Taka/Shima ..... 1710 S Calhoun Rd, New Berlin 53151  
 NAKAHIRA, Shig ..... P O Box 5237, Madison 53716  
 TADA, Tatsumi/Jennett ..... 5848 N Sunny Point Rd, Glendale 53209  
 TAKAYAMA, Kuni/Masako, Karen, Janet ..... 617 Inner Dr, Madison 53705  
 TANOUYE, Chic/Faye ..... 1037 W Glen River Rd, Glendale 53217  
 TERAMURA, Kengo/Aya; Ruri, Kuni ..... 3445 Meadowcroft Ct, Brookfield 53005

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 ALLEN, M/M Walter ..... 602 N 5th St, Bellevue 68005  
 ANDO, Yukio ..... 2302 N 83 St, Omaha 68134  
 CORRADO, Sam/Misao; Family ..... 13836 Pierce St, Omaha 68144  
 EGUSA, Mrs. Eileen; James ..... 2315 Harney, Omaha 68102  
 ENDO, Tsutomu/Reiko; Osamu ..... 4840 S 93rd St, Omaha 68128  
 GOTSDINER, Gary/Judy ..... 341 N 93 St, Omaha 68114  
 HASEGAWA, Steve/Kathy ..... 5518 S 152nd St, Omaha 68137  
 HIRABAYASHI, M/M Roy ..... 5105 Q St, Omaha 68117  
 ISHII, M/M Ed; Family ..... 11037 Harney, Omaha 68154  
 IZAWA, Dr/M Howard; Dave, Aimie ..... 721 Tara Rd, Papillion 68046  
 KAWAMOTO, M/M John; Family ..... 3415 Himebaugh, Omaha 68111  
 KAWAMOTO, M/M Mitsuo; Family ..... RR 1, Elkhorn 68022  
 MATSUI, Chikuma ..... 4605 Davenport, Omaha 68132  
 MATSUNAMI, Don ..... 10612 Old Maple Rd, Omaha 68134  
 MATSUNAMI, M/M Manuel; Family ..... 6228 Girard, Omaha 68152  
 MATSUYAMA, Marjorie ..... 3724 Jackson, Omaha 68105  
 NAKADAI, M/M Kay ..... 553 S 21 St, Omaha 68105  
 NIIYA, M/M A: Mitsu, Masa, Akemi ..... 6768 S 75 Av, Omaha 68127  
 NOBLE, Albert W ..... PO Box 19082, Omaha 68119  
 OKADA, M/M Noriaki; Luna ..... 613 S 67 St, Omaha 68106  
 OSUGI, M/M Roy; Family ..... 4917 N 117 Circle, Omaha 68164  
 SHINDO, Rocky/Jackie ..... 4642 Maple Dr, Omaha 68134  
 SMITH, Mrs Mary Y; Lynne ..... 3006 Mason, Omaha 68105  
 SUZUKI, Dr. Peter/Carol ..... 1030 Chapel Hill Dr, Elkhorn 68022  
 WATANABE, Mike/Judy; David, Scott ..... 5804 Woolworth, Omaha 68106  
 WYCOFF, M/M John; Jill, James ..... 3535 N 73 St, Omaha 68134  
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 ETO, Dr. Jackson/Jean; Family ..... 129 Frontenac Forest 63131  
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 ITOKU, Toshi/Kenjo, Kendall, Amy ..... 422 Hazelgreen Dr 63119  
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 KIMIZUKA, Minoru, Helen, Gayle ..... 501 Warren 63130  
 KOBAYASHI, Dr George/Mari; Family ..... 411 Marle Ln, Manchester 63011  
 KOIZUMI, Kay/Janice ..... 6608 Oakland 63139  
 MARSHALL, Charles/Mae; Susan, Debbie ..... 7039 Berthold Av 63117  
 MARUYAMA, Mary/Paul ..... 617 High Hampton 63124  
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 MISSOURI Zen Center ..... 9845 Hudson Av, Rock Hill 63119  
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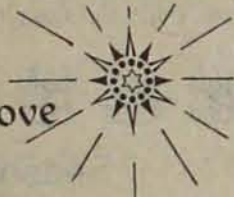
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 MIYAO, Walter/Elyse; Ross, Dean ..... 22401 Glendale, Detroit 48223  
 MONTGOMERY, Beatrice ..... 17190 Olympia, Detroit 48240  
 MOREY, Jeff ..... 24309 Puntian, Redford 48239  
 MORIOKA, Roy ..... 7333 Evergreen, Detroit 48228  
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FUJIMOTO, Martha ..... 4625 Morris St (44)  
FUUYUUME, John/Setsuko

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HAMASAKI, Mrs. Tom, Ms. Sumiko, Jerry

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HARADA, George, Arthur, Stanley, Henry ..... 2500 Pine St. (03)

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HIGUCHI, George/Ruth; Naomi, Leslie

306 Surrey Rd, Cherry Hill, N.J. 08002

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716 Old Lancaster Rd, Bryn Mawr 19010

HORITA, Kaz/Grace ..... 271 School Lane, Norristown 19401

IKEDA, Bunji/Eiko, Kevin, Craig ..... 217 Tyler Rd, King of Prussia 19406

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MATSUMORI, Sauce/May ..... 49 Four Leaf Rd, Levittown 19056

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MIYOSHI, Nobu

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MORIUCHI, Tak/Yuri ..... In the Woods, Moorestown, N.J. 08057

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 CAULK, Richard/Pauline; Kelly, Alan ... 190 Prospect, Princeton 08540  
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 FUKAWA, Ted/Peggy; Family ..... 16 Roberts Av (B)  
 HASHIMOTO, Ethel/Jim ..... P O Box 82, Vineland, NJ 08360  
 HASHIMOTO, Takeo ..... 33 Chestnut Av, Apt 246, Vineland 08360  
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 IKEDA, Norman, Peggy, Denise ... 214 Briar Hill Ln, Woodbury 08096  
 ISHII, M/M Alfred ..... 1310 Second Av  
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 KAWAJIRI, Leta & M/M H Okamoto ..... 9 Halsford Ave (B)  
 MASATANI, Jits, Terri, Tina, Mitzi ..... R.R. 5, Box 7, (B)  
 MASATANI, Ralph/Kanoko, Okasan ..... 13 Hitchner Ave, (B)  
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# Tsukamoto

Continued from Page 104

Frank Stewart and Chris Frasinetti gladly approved integration. In 1939, when classes were resumed in September, we felt the satisfaction of having remade Florin School a bit more like America should be.

In 1935, Harry Carr, ace reporter for Los Angeles Times, stated "there is very little anti-Japanese feeling in Los Angeles. Race prejudice is not indigenous in California; it is manufactured there. People have to work hard to keep race hatred alive in California."

But the anti-Oriental campaign that had been waged sporadically throughout California's history since the 1860s loomed ominously over the lives of all Asians in California.

## Pearl Harbor Attacked

No one was quite prepared for the unbelievable event that completely wiped out the Japanese American strawberry and grape growing community. This was the final blow to the dramatic story of Florin.

It happened after the fateful Dec. 7, 1941 attack on Pearl Harbor. There were deep inexpressible forebodings that caught us silently weeping deep within our bodies. Rumors and fears ran rampant. By Feb. 19, 1942, only 2 hectic months after that "Day of Infamy", President Franklin D. Roosevelt signed Executive Order 9066. General John L. DeWitt was given command over the military zones described as "all along the West Coast from Washington, Oregon, California and Arizona." All those of Japanese ancestry (1/32 Japanese blood) were ordered to leave these military zones.

Historians have pondered over the gross injustice caused by such an unprecedented removal of 110,000 innocent people, the aged, women, children. Seventy-five percent were American citizens—accused of a crime—and removed without hearing or trial.

How could President Roosevelt sign such an order? We have read through research that had taken years to complete. Secret government documents were studied and the events of those ominous days were pieced together. Michi Weglyn in her book, *Years of Infamy* exposes the "bitter truth behind the single worst wholeslae violation of civil rights of Americans in our history... The evacuation and internment of the Japanese Americans." So we have learned the bitter chapter in the pages of our country's history remains because Washington, D.C. was poisoned by the anti-Oriental movement that had waged so long on the West Coast. Their agitation struck a telling blow against justice for all of us who were frightened, as we prepared to leave our homes and the work we loved, at the peak of our strawberry season, that May 29, 1942.

## We Leave Florin Under Military Escort

We were escorted by the military, away from Florin, no longer free. We kept saying, "But we are innocent of any crime." No one could hear our shouting deep within our hearts! "This is our native America! We have no other country to love but this! We are loyal, we would give our life for her!" We gave up our



Florin Reunion Photo  
A general merchandise store owned by T. Tanikawa, one of several proprietors in Florin's Japanese community during the early 1900s.

freedom, thinking that this is no time to violently object and create problems for our nation at war. But we feared for the lives of our aging parents and children if we resisted. We felt perhaps this was one way we could show our loyalty to our country. So we quietly wept and moved into an American concentration camp.

The people who lived in the Florin community area included not only the town and rural area right around it, but also the outlying places, identified by names: Perkins, Mayhew, Walsh Station, Sierra Enterprise, Elder Creek, Elk Grove, California Vineyard and Slough House.

During the frightful months of March, April and May, the Florin JAACL worked with the W.C.C.A. assigned to prepare us for the move. We directed the preparation of nearly 2,500 persons living in our area. There were approximately 500 families.

Our property had to be cared for somehow. We needed to arrange for storing our belongings. We had to decide what we could take, what had to be left. We had to sell for a mere pittance, precious things that we couldn't find adequate storage space. Cars had to be sold. Our pets must be seen to. We needed to get our shots for smallpox, diphtheria, etc. There were those who died in these months. There were some ill and in the hospital. Some were expecting children to be born. Many had fathers who had been taken away by the F.B.I. and had to get the family ready without a husband's help. All I could think of was "how can we endure this? Why? Was it necessary? For what reason was all this human anguish endured?" And we only had short hectic weeks to get ready, before the final day of departure!

## Florin Scattered in Four Directions

In four days after the order date was posted on the telephone poles around Florin not a single person of Japanese ancestry remained in the entire area. We were divided into four groups and sent to four different directions. The railroad and Florin Road was the main dividing line. Relatives and life long friends

wept uncontrollably never knowing how long we'd be separated or if there would ever be a day we would see each other again.

Those west of the railroad were sent to Walerga Assembly Center (Sacramento), and later moved to Tule Lake. Those living south of Florin Road, east of the railroad were sent to Manzanar. Those living north of Florin Road, east of the railroad, were sent to Fresno, then to the southern swamp lands of Arkansas. Some living in the far northeastern area were sent to Pinedale Assembly Center then to Poston.

Certain families were moved again and again. Some, because Tule Lake was designated later as a segregation camp. Some eventually rejoined their families who had been separated. Some family members, separated when children married, were sent to distant camps away from their families. They were eventually brought together.

While in camp, the evacuees did what they could to make conditions more tolerable. They offered their professional services and skills for the benefit of all the evacuees, and many did their part in helping the U.S. war effort by working for the Red Cross.

## Florin's Nisei GIs Serve

Florin had nearly a hundred Nisei in uniform. Many served heroically in the European theater with the 442nd and with the Military Intelligence in the Pacific during WW2. The supreme sacrifice was paid by a number of boys who grew up in Florin. Among them were Chester Abe (Mayhew), Torao Hayashi (Mayhew), Charles Nakaya (Florin), Yoshimori Sakai (Sierra-Enterprise), Cooper Tahara (Florin), and Tad Takeuchi (Riverside). During the Korean war were two more local Nisei who were killed in action: Ben Takemoto (Mayhew) and Shogo Iwatsura (Elk Grove).

When the men learned of acute labor shortage in the farming states, causing a serious threat to the food supply and winning the war, many left the camps to work—in the beet fields, as chick sexors in the poultry industry and into new experiences on dairy farms in Minnesota and Wisconsin. Many also were recruited for the Bird's Eye farm and frozen food plant at Seabrook, N.J.

In January, 1945, when the Army lifted the West Coast ban against Japanese, a few cautiously proceeded to return home since Nisei veterans who had come back early found their reception most humiliating—despite the honors showered upon them from a grateful nation. Some felt their lives threatened. But enough caring people and the return of servicemen who had been with the Nisei in the foxholes strongly protested the bigoted actions inflicted upon the returning Japanese Americans.

## Florin Greatly Changed by the War

Over the months, different families returned to Florin. But

Continued on Page 121

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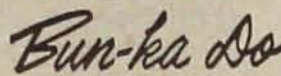
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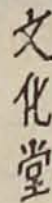
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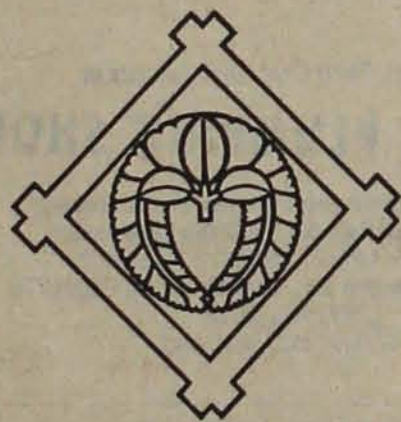
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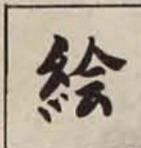
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# Sumida

Continued from Page 10

or are in direct violation of explicit prohibitions of the Constitution.

It is interesting to note that Justice William O. Douglas on p. 280 of his last book, "The Court Years", wrote:

.... I wrote a concurring opinion, which I never published, agreeing to the evacuation but not to evacuation via the concentration camps. My Brethren, especially Black and Frankfurter, urged me strongly not to publish. "The issue of detention is not here," they said. And the Court never decides Constitutional question not present.

The latter was of course not true, as Chief Justice John Marshall's famous Marbury v. Madison (5 U.S. 137) shows. In that landmark case, Marshall established the concept of judicial review of Congressional Acts declaring section 13 of the Judiciary Act of 1789 unconstitutional. He did so in spite of the fact that the question brought before the Court was not the Constitutionality of the act, but whether or not Secretary of State Madison should be compelled to deliver the judicial appointment papers left over by his predecessor in office.

Technically, however, the question of detention was not presented to us. Yet evacuation via detention camps was before us, and I have always regretted that I bowed to my elders and withdrew my opinion." (in the Korematsu case.)

### Japanese American Cases

In Marbury v. Madison, issues were raised alluding to the problems to be faced by the Supreme Court in the Japanese American wartime cases. The role of the Supreme Court in determining the important Constitutional issues whether the acts of the President and Laws passed by Congress exceeded the authority of Constitution or were in direct violation of specific prohibited acts contained in the Constitution.

In Marbury v. Madison the following is stated:

The Constitution declares "that no Bill of Attainder or ex post facto law shall be passed." If, however, such a bill should be passed, and a person should be prosecuted under it; must the court condemn those victims whom the Constitution endeavors to protect?

The Constitution also declares that No person shall be convicted of Treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Here the language of the Constitution is addressed especially to the Courts. It prescribes, directly to them, a rule of evidence not to be departed from. If the legislature should change that rule and declare one witness, or a confession out of court sufficient for conviction, must the Constitutional principle yield to the legislative act?

Thus, government officials should be held accountable for violating prohibited acts of the Constitution.

The fundamental issue is that the President and Congress specifically violated explicit, prohibited acts in the Constitution; namely:

(1) Imprisoning American citizens of possible treason and imprisonment without charges and failing to require two witnesses to an overt act.

(2) Passing a Bill of Attainder causing punishment and imprisonment without a judicial trial.

(3) Passing an Ex Post Facto law (Public Law 503) subjecting civilians to military orders without Martial Law.

(4) Passing a law making it a criminal offense to live in your own home. (Public Law 503 and Military Orders.)

In addition the actions of the Supreme Court are highly questionable the courts by default suspended the Writ of Habeas Corpus for 2½ years. The right to a speedy trial guaranteed by the Sixth Amendment was all but forgotten as the case wound its way through the judicial "maize". This was the Judicial contribution to the war effort of the President.

Justice Douglas points out that it was a grave mistake on the part of the Courts to avoid the major Constitutional issues and his part in deciding the Ex Parte Endo case on narrow base to avoid the Constitutional issues.

It is also suggested that the Presidential Commission recommend Legislation to "fill" the gap left open by the Constitution—"individual accountability for the violation of ex-

Continued on Page 127

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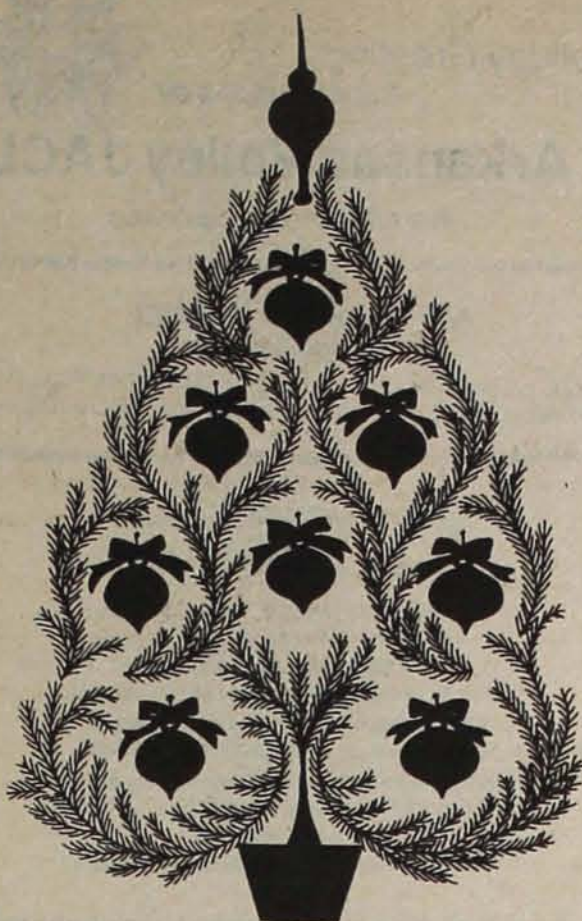
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# BAAR brief

Continued from Page 94

less, we have chosen to focus on one aspect of the wrongs committed to demonstrate the nature, degree and scope of deprivations suffered by Japanese Americans.

Without a doubt, the expulsion and imprisonment of Japanese Americans remains along with the forced removal and incarceration of Native Americans, the slavery of Black persons and the theft of land from the Mexicans as one of the darkest blots on the history of the United States. While the suffering, financial losses, psychological traumas can never be repaired, this Commission has the opportunity to take positive steps toward both the reparation of individuals and communities which suffered and to prevent the recurrence of such an event.

We respectfully submit that this Commission recommend to Congress that adequate financial reparations be made to Americans of Japanese ancestry who were the victims of the unconstitutional acts by the United States Government and further issue a declaration that the acts and orders of the President and Congress and the decisions of the United Supreme Court upholding those acts and orders were incorrect and should never be used as a precedent against any identifiable group.

July 7, 1981.

Respectfully submitted,

Bay Area Attorneys for Redress

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**APPENDIX III**  
**TABLE OF SOURCES**

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## Tsukamoto

Continued from Page 112

they found the community had changed. Some had lost their farms, unable to pay the mortgage during the war years. Others decided to sell after headlines in 1943 screamed for our deportation. Those returned to their strawberry and grape farms, found them completely devastated through improper care and needed to start all over again—and with very little capital. We soon realized that even the best cared for grape vineyards (like ours which had been tended by a wonderful friend) had suffered. The grape industry of Florin was doomed. The market price, poor quality and the diminishing number of local vineyards made it impossible to even dream Florin would flourish again with grapes. Trying in vain to make the comeback, our family in 1949 decided to pull out the vines and quit, seeking employment elsewhere.

Many sold their farms to take their aged parents away from the land they had tended for years—sadly uprooted again to face a strange life in the cities and suburbs of Sacramento, Bay Area and Southern California.

Only those who could not speak English or were too old to find employment elsewhere doggedly hung on to their land and tried desperately to raise a small patch of berries. A small-scale strawberry growing venture was visible postwar in Florin. Each year, as the Issei became few in number, the strawberry production dwindled. Only a small number of Nisei berry growers remain today.

When most of the Americans in the west coast were enjoying the best prices for their farm produce during the war years, we were behind barbed wire fences. Our best earning years were taken from us. We returned home to find there were no funds in our savings. It was a bad time for our children who had high hopes of getting a better education. It is a great tribute to the courage and determination of these people to have made it after all.

### From Farming to Gardening

A great number from this area went into gardening. Having grown up doing farm work, it seemed a logical switch. They became very successful. Many are still gardening in the Sacramento area. But most settled in Southern California.

The third generation of Florin pioneers are doing exciting things. They are truly Americans. Puzzling but true, they can't converse in Japanese with their grandparents. They think and feel as any person who has had three generations of growing in the country, educated in the schools here, and influenced by all that America offers to enrich their lives.


Many are becoming notable figures in civic and community affairs. Some are prominent in the political arena. Others are making a significant contribution in the field of science.

Dr. Harvey Itano, awarded for his distinguished research on sickle-cell anemia and the first Japanese American to be accepted into the prestigious National Science Institute, is the son of an Issei, insurance salesman that often came to Florin and worked among the farmers here.

Congressman Robert Matsui's Nisei father worked for the Strawberry Shipping Co. and covered the Florin area, serving the farmers in this vicinity. Many outstanding young people are quietly assuming positions of importance in many areas, taking on administrative, supervisory assignment. Some Nisei and Sansei are leaders in education. School principals June Okamoto and Don Sato grew up in nearby Elk Grove where their parents farmed after the war. There are pharmacists, dentists, doctors, lawyers, nurses, independent business people, mechanics, and more. We have come a long, long way since Kuzo Tsukamoto first came to Florin in 1892.

When Grandpa Tsukamoto was nearly 90, he often recalled in amazement, how much change he had witnessed, since he first came to Florin 65 years earlier, when it was predominantly covered with grain fields. His eyes glowed as he recalled the once thriving strawberry field and grape vineyards that had completely transformed this community. He could not forget the great numbers of Japanese farmers who had toiled mightily and shared together great joys of life, as well as deepest anguish and disappointments.

As he viewed the abandoned fields full of dried weeds, he smiled to see before him the incredible change Florin had endured in his lifetime. I often smile and wonder what dear Grandpa Tsukamoto would say in 1980, had he lived to see the more wondrous changes that continue to surprise us taking place in Florin! #



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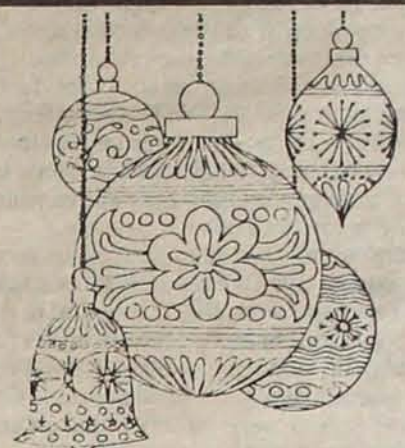
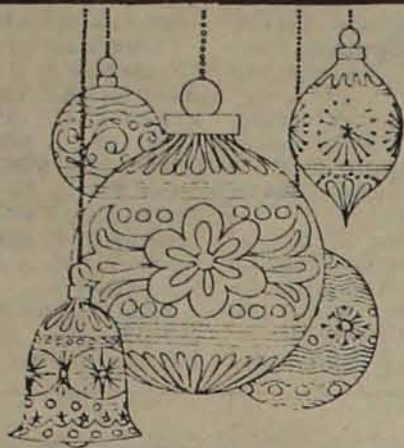
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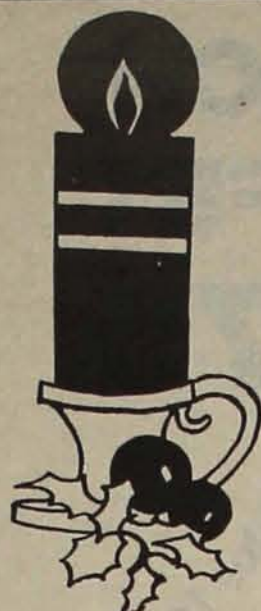
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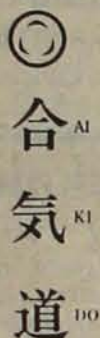


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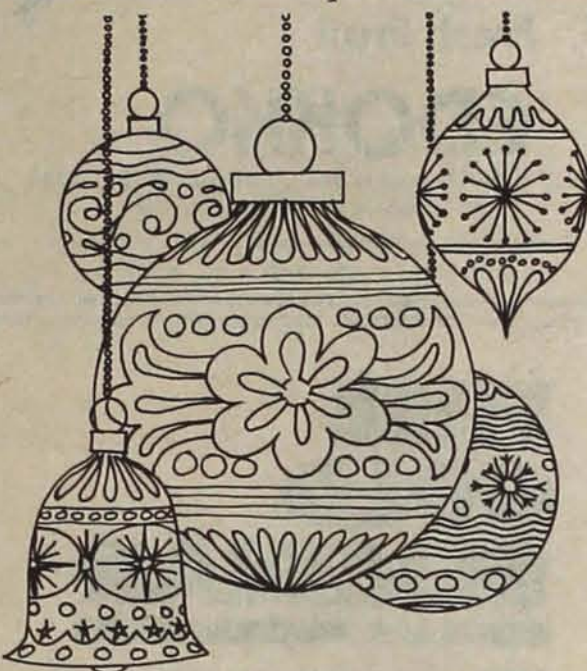


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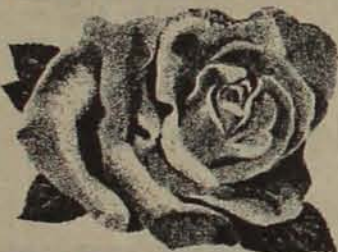
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### Deaths

Ritsuko Kawakami, 60, resident of Montebello and Los Angeles-born Nisei, passed away on Dec. 12 at her home after a prolonged illness. She was East Los Angeles JA CL president (1967-68) and active with the Montebello Japanese Women's Club. She is survived by her uncle Ginosuke Nishioka, 434 N. 19th St., Montebello, CA 90640. Funeral service was held Thursday, Dec. 17, at Union Church; Fukui Mortuary director.

Sakae Yamaguchi, 65, longtime San Mateo JA CLer and community leader, died Dec. 5 after an automobile accident in South San Francisco. He is survived by d Susan, Rebecca Kano; gc, m Aiko, br Kuno and sis Shizu Tabata and Sachi Yamagishi.

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Display Ads	6,342 1/2
One-Line Greetings	822
JACL-HI Project	16

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Alameda	168	Pasadena	18
Arkansas Vly	3	Philadelphia	20
Berkeley	420	Portland	128
Carson	15	Reedley	196
Chicago	84	Reno	6
Cincinnati	6	Riverside	21
Cleveland	15	Sacramento	168
Clovis	6	Salinas Vly	420
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Cortez	12	San Fern Vly	336
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Eden Twtnshp	140	Seattle	173
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Hoosier	9	Watsonville	168
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Liv-Merced	168	West Valley	29
Marin Cty	6	Wilshire	6
Marysville	84	...	...
Mile-Hi	3	CCDC	6
Milwaukee	6	EDC	6
Monterey Pen	210	Midwest DC	10
Mt Olympus	5	NCWNPDC	20
New York	126	PNWDC	5
Oakland	21	PSWDC	20
Omaha	8	...	...
Orange County	84	Ad Dept (K)	562
Pan Asian	6	PC Office	182 1/2

DEC. 16 Total: 7,083 (111.6%)

### ONE LINE GREETINGS (724)

Boise Vly	39	Placer City	36
Cincinnati	13	Riverside	48
Cleveland	52	St Louis	36
Cortez	18	Santa Bar	17
Dayton	27	Seabrook	36
Detroit	32	Sonoma Cty	28
Gresham-Tr	78	Tulare County	19
Milwaukee	29	Twin Cities	72
Mt Olympus	2	Washington	37
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Pasadena	23	White River	35

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## Sumida

Continued from Page 119

licit prohibitions in the Constitution.  
The Constitution does not address the question of accountability for individuals or organizations that violate or advocate the violation of specific prohibition of the Constitution. If the overall results are a violation of prohibited acts of the Constitution, individuals can be charged with a conspiracy. The charge of "Conspiracy" to be used where individual culpability will be difficult to prove.

Government Officials both elected and appointed who were a party to the actual violation of specific prohibition of the Constitution including the "media" should be liable criminally as well as civilly liable for any damages caused.  
In addition all government officials elected and appointed who have taken the oath of Office to uphold the Constitution should be subject to impeachment under Article II Section 2 making it a high crime against the Constitution for any wilful violation of the specific prohibited acts in the Constitution.



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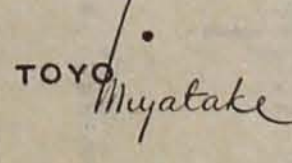
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Furthermore the subsequent "cover up" of violations of the Constitution should be grounds for impeachment of those Government Officials who are sworn to uphold the Constitution who aid and abet such coverup.  
M.M. Sumida, a frequent contributor on this issue of the Japanese American experience of WW2 and redress, is a San Francisco resident.

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