



JAPANESE AMERICAN CITIZENS LEAGUE

NATIONAL HEADQUARTERS: 1765 Sutter Street • San Francisco, California 94115 • (415) 921-5225
REGIONAL OFFICES: Washington, D.C. • Chicago • San Francisco • Los Angeles • Seattle • Fresno

FACT SHEET: JAPANESE AMERICAN INTERNMENT

"On February 19, 1942... President Franklin D. Roosevelt signed Executive Order 9066, which gave to the Secretary of War and the military commanders the power to exclude any and all persons, citizens and aliens, from designated areas in order to provide security against sabotage, espionage and fifth column activity. Shortly thereafter, all American citizens of Japanese descent were prohibited from living, working or traveling on the West Coast of the United States. The same prohibition applied to the generation of Japanese immigrants who, pursuant to federal law despite long residence in the United States, were not permitted to become American citizens. American citizens and their alien parents were removed by the Army, first to 'assembly centers' - temporary quarters at racetracks and fairgrounds - and then to 'relocation centers' - bleak barrack camps in desolate areas of the West. The camps were surrounded by barbed wire and guarded by military police. Departure was permitted only after a loyalty review in consultation with the military, by the War Relocation Authority. Many of those removed from the West Coast were eventually allowed to leave the camps to join the Army, go to college outside the West Coast or to whatever private employment was available. However, the war years were spent behind barbed wire; and for those who were released, the prohibition against returning to their homes and occupations on the West Coast was not lifted until December 1944.

This policy of exclusion, removal and detention was executed against 120,000 people without individual review, and exclusion was continued virtually without regard for their demonstrated loyalty to the United States.

All this was done despite the fact that not a single documented act of espionage, sabotage or fifth column activity was committed by an American citizen of Japanese ancestry or by a resident Japanese alien on the West Coast.

No mass exclusion or detention, in any part of the country, was ordered against American citizens of German or Italian descent. Official actions against enemy aliens of other nationalities were much more individualized and selective than those imposed on the ethnic Japanese."

Personal Justice Denied, Final Report (1983)

U.S. Commission on Wartime Relocation and Internment of Civilians

From JACL. EO 9066: From Behind Barbed Wire, 50 Years Later

1. WHICH CONSTITUTIONAL RIGHTS WERE VIOLATED?

Seven of the 10 articles of the Bill of Rights were abrogated. They were as follows: *Article I*: (a) freedom of religion, (b) freedom of speech, (c) freedom of the press, (d) right to assembly; *Article II*: (e) right to keep and bear arms; *Article IV*: (f) freedom from unreasonable searches and seizures; *Article V*: (g) right to an indictment or to be informed of charges, (h) right to life, liberty, and property; *Article VI*: (i) right to a speedy and public trial, (j) right to be confronted with accusatory witness, (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.

In 1942, Japanese Americans Gordon Hirabayashi, Fred Korematsu, and Minoru Yasui, challenged the constitutionality of the curfew and internment order. They were convicted and sentenced. Their cases were appealed before the U.S. Supreme Court, which upheld the constitutionality of those orders. It was not until 1983, 1985, and 1986, respectively, that federal district courts overturned their original convictions.

2. WEREN'T JAPANESE AMERICANS FREE TO LEAVE THE DETENTION CAMPS?

Detainees were expressly prohibited from leaving the camps under Civilian Restrictive Order 12 and Public Proclamation 8 issued by Gen. John DeWitt, and Public Proclamation WD 1, issued by Henry Stimson, Secretary of War.

Anyone leaving without permission was shot, as evidenced by the 8 internees killed by guards.

Another illustration of the fact that people were detained against their will is the Mitsuye Endo case. Upon finding herself involuntarily detained, she petitioned for a writ of habeas corpus in July 1942, but her plea for release was denied by the federal court for almost three years.

3. CONSIDERING THE ATTACK ON PEARL HARBOR BY JAPAN, WASN'T THE U.S. GOVERNMENT JUSTIFIED IN LOCKING UP JAPANESE AMERICANS?

As Americans, Japanese Americans were not responsible in any way for the actions of the government of Japan and they had absolutely nothing at all to do with the bombing of Pearl Harbor.

By logic of the question, one could then ask, are Americans of German ancestry to be held accountable for the acts of Nazi Germany? Or, are Americans of Italian ancestry accountable for the acts of the Italian government during World War II? The fact that only Japanese Americans were taken en masse without individual review substantiates the Commission on Wartime Relocation and Internment of Civilians (CWRIC) findings that it was, in part, an act of racism. Japanese Americans were readily and wrongfully identified as the "enemy" without regard to their rights as American citizens. Remember too that Pearl Harbor is located in Hawaii, yet Americans of Japanese ancestry in Hawaii were not interned en masse, even though they comprised about 40% of the population at the time.

4. WASN'T THE INTERNMENT A MILITARY NECESSITY BECAUSE OF THE DANGERS OF ESPIONAGE AND SABOTAGE?

If there were any such dangers, they did not come from Japanese Americans. No person of Japanese ancestry was ever charged with or convicted of espionage or sabotage. Declassified diplomatic cables ("Magic Cables") revealed that in fact the Japanese government had instructed its staff to "avoid" the use of Japanese Americans in gathering information. The fact that the Japanese American population was of no threat was fully documented by the FBI, Navy Intelligence, and a special investigatory report ordered by the President. Furthermore, it was physically impossible for much of the Japanese American population to have engaged in espionage or sabotage -- they were too young, too old or too visible. If military necessity dictated eviction and detention, why weren't those of Japanese ancestry in Hawaii, 3,000 miles nearer the Japanese mainland in an active theater of the war, also interned en masse?

5. WASN'T THE INTERNMENT JUST AN UNFORTUNATE NECESSITY BECAUSE THERE WAS A THREAT OF INVASION AND NO TIME TO DETERMINE WHO WAS LOYAL OR DISLOYAL?

If there was an actual threat of invasion, martial law should have been declared and the restrictions applied to everyone equally, as was the case of Hawaii. But martial law was not declared on the West Coast because our government and the military knew that Japan was incapable of landing an invasion force on the continental United States, especially after June 1942 (the Battle of Midway, in which the Japanese naval fleet was virtually destroyed). The question of who was dangerous was already determined through FBI and Navy Intelligence files. Anyone suspected of the crimes of espionage or sabotage should have been charged and brought to trial in the civil courts, which were in full operation.

6. WASN'T IT A PERFECTLY UNDERSTANDABLE WARTIME LAPSE CAUSED BY PANIC AND HYSTERIA?

The movement to exclude Japanese Americans from the West Coast had in fact been going on for nearly 50 years, and in many ways the war was a convenient pretext seized upon to accomplish that goal. The public did not suddenly and spontaneously go berserk; instead, a carefully calculated and organized hate campaign was conducted by longtime anti-Japanese groups. For the first month of the war, the public was generally sympathetic or indifferent toward Japanese Americans, but as the months wore on and as any initial shock subsided, the hate campaign began to achieve results. Furthermore, panic and hysteria should never justify the abrogation of constitutional guarantees. In fact, it is under those very circumstances that civil rights must be fully protected and upheld.

7. WEREN'T JAPANESE AMERICANS PLACED IN THE CAMPS FOR THEIR OWN PROTECTION AGAINST MOB VIOLENCE?

In a case of mob violence, lawbreakers should be locked up, not the innocent intended victims. There was no basis for believing that the Japanese American population was in grave danger; 28 isolated cases of assault were reported against Japanese Americans on the West Coast

during the first months of the war. The general public may have been prejudiced, but they were law-abiding people. Any small need for security could have been readily handled by the local police and sheriff's departments. The physical arrangement of the camps prove that the purpose was detention, not protection. Despite being in the middle of isolated deserts with no others around, the camps were surrounded by barbed wire fences with the tops tilted inward to keep the people in; the guards in the watchtowers had their weapons pointed into the camps; and the searchlights were directed inside the camps.

8. WHAT IS THE SIGNIFICANCE OF THE REDRESS AND REPARATIONS CAMPAIGN FOR JAPANESE AMERICANS?

The redress and reparations movement begun in the 1970s was a campaign for justice, to acknowledge the injustices visited upon Japanese Americans during World War II. But the significance of redress extends to all Americans. It is wrong in America to deny one's constitutional rights on the basis of race, and it is wrong to take away one's liberty or property without due process of law. Injustice should never be allowed to go unaddressed.

Under the American system of justice, damages are provided when legal wrongs are committed. The CWRIC recognized the difficulty in affixing a monetary amount for compensation for the wartime incarceration. "No amount of money can fully compensate the excluded people for their losses and suffering," wrote the CWRIC. "It is well within our powers, however, to provide remedies for violations of our own laws and principles."

Under the Civil Liberties Act of 1988, the U.S. government acknowledged the "fundamental injustice of the evacuation, relocation and internment of U.S. citizens and permanent resident aliens of Japanese ancestry during World War II" and "apologizes on behalf of the people of the U.S." The Act also directs the U.S. Attorney General to identify and locate those Japanese Americans and permanent resident aliens who were evacuated, relocated or interned, and make restitution of \$20,000 to each eligible person.

The \$20,000 individual monetary compensation is a symbolic recognition of the personal suffering loyal Americans were forced to experience. It is but a small fraction of the losses people experienced due to the relocation and internment.

The ultimate principle of the redress campaign was to help ensure that what Japanese Americans experienced in 1942 would not ever again happen to any other group of people in this country.