

U.S. Democracy and the Japanese American Legacy

Written by Diane Adachi, Guest Contributor
Friday, 16 March 2012 00:45



On October 5, 2010, President Obama signed into legislation Congressional Gold Medal of Honors for the Nissei veterans that made up the 442 Regimental Combat Team and its 1st Battalion the 100th Infantry, the most decorated units in military history serving during the period of Japanese American incarceration.

The Japanese American Civil Rights movement is one of the most important civil liberties actions in the history of the U.S. It provided an opportunity for resolution in the failure of the U.S. government's ability to guarantee the rights of its citizens, as defined by its Constitution, in the wake of the U.S. war effort during WWII. However, the movement also demonstrated the strength and resilience of our U.S. democracy and the importance of our Constitution in the government's ability to redress grievances for its past mistakes.

The Japanese American civil liberties redress process provided several important conclusions: the examination of the constitutionality of Executive Order [EO] 9066, the civil rights of incarcerated persons due to the exclusion order, and a framework for reparations, all of which serve as important lessons for Americans today.

There have been several critical times in U.S. history when perceived threats to national security from racial, religious, and other social fears resulted in accusations and actions that led to the deprivation of liberty and social justice for various powerless groups. In the decades preceding the bombing of Pearl Harbor by Japan on December 7, 1941, there had been organized anti-Asian agitation by interest groups, mainly on the West Coast, that discriminated

U.S. Democracy and the Japanese American Legacy

Written by Diane Adachi, Guest Contributor
Friday, 16 March 2012 00:45

against immigrants and Americans of Japanese ancestry. Ten weeks after Pearl Harbor, President Franklin D. Roosevelt signed Executive Order [EO] 9066, authorizing the military to delineate exclusion areas from which any or all persons could be removed or held. This Order was given its enforcement arm by the unanimous vote of Congress when Public Law 503, 77th Congress, was passed in March 1942. Under the authority of [EO] 9066 nearly 120,000 persons of Japanese ancestry, men, women, children and infants, of whom two-thirds were American citizens, were forcibly removed and incarcerated into 10 desolate and barren interior desert-like centers. Most would remain in these War Relocation Authority camps from 1942 until 1945. None were ever charged with a documented act of espionage or sabotage against their country.

Established by Congress in 1980, the Commission on Wartime Relocation and Internment of Civilians (CWRIC) was tasked to examine the circumstances that led to issuing [EO] 9066. The CWRIC reaffirmed that there was an underlying “anti-Asian sentiment” existing within America at the time. The Commission report also brought to light the network of overlapping governmental systems and agencies that implemented the exclusion and evacuation. They did not find a justifiable case of military necessity for the “protection against espionage and sabotage” but rather that “race prejudice, war hysteria, and a failure of political leadership” were the broad historical causes. Years later, many of those instrumental in the creation and implementation of actions under [EO] 9066 have publicly acknowledged the wrongs done under this Executive Order.

The CWRIC also examined violations of civil rights through imprisonment without trial including the cases during the time of evacuation where a few individuals challenged the constitutionality of race, ancestry and loyalty based on exclusion. The Supreme Court case of Mitsui Endo opened the door for “admittedly loyal Americans” to be released from camps. However, Gordon Hirabayashi, Fred Korematsu, and Minoru Yasui were among those who purposely violated curfew and incarceration orders and their convictions were upheld by the Supreme Court. With new information from the CWRIC findings, the cases of Korematsu and Yasui were later vacated at the District Courts and Hirabayashi’s decision overturned by both the District and Federal Appeals Courts.

The Civil Rights Movement in the 1960’s buoyed the efforts of second and third generation Japanese Americans and working groups were formed through the Japanese American Citizens League (JACL), the National Council for Japanese American Redress, and the National Coalition for Redress/Reparations. Other civil rights and grass roots organizations joined and expanded the Japanese American organized efforts. This collective process took nearly 30 years in advancing a legislative framework for redress.

U.S. Democracy and the Japanese American Legacy

Written by Diane Adachi, Guest Contributor
Friday, 16 March 2012 00:45

Congressmen Norman Mineta and Robert Matsui and U.S. Senators Spark Matsunaga and Daniel Inouye were also instrumental in the political process for redress. The CWRIC findings provided the necessary foundation for the Civil Liberties Act of 1988. Under these federal laws, restitutions of \$20,000 and a Presidential apology were distributed to each and all persons of Japanese ancestry incarcerated as a direct result of [EO] 9066 resulting in loss of liberty and property due to “discriminatory action” of the Federal Government.

Despite the social injustices that occurred in the 1940’s, the Japanese Americans’ legacy demonstrates how democratic principles can be debated, history redressed, and for the voices of its citizens to be heard. The Japanese American Redress Movement resulted in several important outcomes: the repeal of [EO] 9066 by President Gerald Ford in 1976, who declared the decision a “national mistake,” a formal apology by the Federal Government and over \$1.2 billion in reparations to the individuals and families of those incarcerated. Federal funds were also appropriated to support education and research about the incarceration. The National Park Services, recognizing the civil liberty violations engendered by ten War Relocation camps, are working towards historic preservation of these sites used for internment and incarceration.

The Japanese American Civil Rights movement will always remain an important chapter in our U.S. history. It represents a time when the reliability of our democratic institutions that support the framework for governance and the constitutionality of our laws were challenged. U.S. democracy allows for due process to redress grievances, defend our civil liberties and rebuild relations with countries that were once our enemies. Our Constitution has stood the test of time, but we must remain mindful of its promise for equality, life, and liberty.

Diane Adachi serves as the Assistant Vice President for International Relations at the University of Washington and supports the President and Provost on broad global institutional and diplomatic initiatives. She served on the planning committees for the UW Long Journey Home initiative, which awarded honorary degrees to Nikkei students and the Nissei Veterans Committee-Seattle that presented Congressional Gold Medals to Nissei veterans that served during the Japanese American incarceration.

This article was originally published in the Diplomatic Courier's March/April issue.