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THE EVACUATION AND RELOCATION OF THE WEST COAST JAPANESE DURING WORLD WAR II--HOW IT HAPPENED!

BY

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During World War II, over 112,000 Pacific Coast Japanese were evacuated from their West Coast homes and were relocated inland. Approximately two-thirds of the evacuees were American citizens of Japanese ancestry. Under normal circumstances these citizens would have enjoyed the same constitutional guarantees as any American-born or naturalized citizen of the United States. In the aftermath of Pearl Harbor, the constitutional rights of these Americans were suspended because as a racial group they were perceived to be a threat to the security of the United States.

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- To describe the anti-Japanese environment before WW II.

- To describe the social and political forces that created and amplified the perception that the Japanese were a security threat.

- To describe the evacuation of the Japanese from the West Coast and their relocation inland.

- To describe the judicial review and the constitutional challenge of the evacuation order.

- To analyze why the evacuation happened.

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USAWC MILITARY STUDIES PROJECT PAPER

The Evacuation and Relocation of the West Coast Japanese During World War II - How It Happened!

AN INDIVIDUAL STUDY PROJECT

by

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CHAPTER 1

INTRODUCTION

History is our best teacher. It provides an opportunity to revisit past events to learn from them. Where actions were questionable or mistakes were made, we try to understand where failure occurred so the same mistake will not be made again.

One mistake was the signing of Executive Order 9066 by President Roosevelt on February 19, 1942. This document relinquished unprecedented Presidential authority to the military that paved the way for the mass evacuation of over 112,000 persons of Japanese ancestry from the West Coast during WWII.

This event, unknown to the majority of the U.S. population and misunderstood by many others, is well-remembered by the Japanese evacuees who were forced to leave their homes and to dispose of their possessions which had been accumulated over a generation's time. For the Japanese evacuees, two-thirds who were American citizens, the question is why? How could this happen in a country which based its values on fair play and justice?

It could be argued that the abridgement of constitutional rights is necessary and justified in times of crisis. That when the survival of the Nation is at stake, citizen's rights should be suspended if based on military necessity. This rationale was used during WW II to justify the mass evacuation and relocation of a particular class of people who were considered, en masse rather than individually, a threat to the security of the United States.

The purpose of this study is to look at that historical event and to accomplish the following: (a) To review the West Coast, anti-Japanese atmosphere before WW II; (b) to discuss the perceived threat that led to the evacuation decision of the Japanese; (c) to discuss the evacuation of the Japanese by the Army; (d) to discuss the relocation of the Japanese by the Wartime Relocation Authority (WRA); and (d) to discuss why the event happened.

CHAPTER II

ANTI-JAPANESE ENVIRONMENT BEFORE WW II

The forced evacuation of the Pacific Coast Japanese during World War II would be understandable if the Nation's survival were at stake. That would be the only justification for moving an entire ethnic class, including American citizens, from a war zone. But the decision for the forced exodus of the Japanese from their homes in 1942 was not related to war alone and it is questionable whether such drastic action was necessary.

The military decision for evacuation was influenced by conditions which existed many years before the first bombs fell on Pearl Harbor. Like any new immigrant population, the Japanese were not accepted within the mainstream of American life but were tolerated so long as their numbers remained small and they posed no threat to the majority. The Japanese immigrant, the Issei, were unlike the European immigrants who were able to sucessfully assimilate into the white culture, socially, and politically. The Issei became easy targets for racial bias, much like the Chinese who preceeded them. The Japanese immigrant was welcome for filling the labor void left by the Chinese but was viewed as a competitive threat on the agriculture scene. It was for this reason that the Japanese immigrant could toil the soil but would never be allowed to own it.

As Japanese population increased, so did anti-Japanese sentiment and legislation in California where almost all of the Japanese immigrants eventually settled. Anti-oriental forces which had been successful in excluding the Chinese were now focusing their same effort against the new "yellow peril."

One of the more prominent anti-Japanese organizations, founded in 1905, was the Japanese and Korean Exclusion League. The League membership included the most influential social and political people in California Members included: Hiram W. Johnson, California governor (1911-1915) and U.S. Senator (1917-1945); V.S. McClatchy, editor and publisher of the McClatchy Bee papers of Sacramento, Fresno, and Modesto; J.M. Inman, California senator and one-time president of the California Oriental Exclusion League; Eugene E. Schmitz, mayor of San Francisco, Aaron Altman, President of the San Francisco School Board in 1906; and Anthony Caminetti, state senator and U.S.Commissioner-General of Immigration.[1] These influential individuals would set the anti-Japanese climate that would aid in the evacuation of the West Coast Japanese during WW II.

By 1908, the League's influence and membership had spread over most of the Western States. California alone boasted a membership of some 110,000. In the intervening years leading up to WW II, the League would be active in spreading anti-Japanese influence and promoting legislative action favoring Japanese exclusion.

The League was responsible for the California legislature considering a 1909 land bill to preclude land purchase by Japanese aliens. President Taft, concerned about relations with Japan, interceded and the bill was dropped. The League was more successful in getting California to pass the Alien Land Law of 1913. This law precluded aliens ineligible for citizenship from owning land in California or to lease land for a period exceeding three years. The Law was directed at the Japanese Issei who was precluded by existing law from becoming a naturalized citizen of the United States. A 1920 amendment of the Alien Land Law added further

restrictions against the Japanese. These restrictions: (1) forbade leasing of land altogether; (2) precuded the right to purchase stock in any organization owning or leasing agricultural land (the 1913 law had authorized stock purchase if under 49 percent); and (3) prohibited aliens from being appointed guardians of minor children whose estate consisted of real property - this because some Japanese aliens were purchasing land in the name of their citizen children.[2]

By 1920 anti-Japanese organizations on the West Coast were cooperating to achieve a common objective - the total exclusion of all Japanese from the United States. One of the more prominent organizations was the Japanese Exclusion League of California, formed at Native Sons Hall in San Francisco in September 1920. Member organizations included the Native Sons of the Golden West; the American Legion; the California State Federation of Labor; the California Federation of Women's Clubs; the California State Grange; and the Loyal Order of the Moose.

Though a cooperative organization, the leadership and power behind the League was V. S. McClatchy, an individual who dedicated his career to ridding California of the Japanese. McClatchy would aiso be influential in his positions as the Director of the Associated Press, editor/owner of the Sacramento Bee, and as the Executive Secretary of the California Joint Immigration Committee (JIC), the most influential, anti-Japanese organization in California.

The JIC membership, like other anti-Japanese organizations included California's political and social elite. Prominent individuals included: the Deputy Adjutant of the American Legion; the Secretary-Treasurer of the State Federation of Labor; the Master of the State Grange; the Grand President of the Native Sons of the Golden West; and California's top legal

official, the State Attorney General, Earl Warren. The JIC campaigned at the state and national levels to influence legislation to exclude the Japanese from the United States.

In July 1921 McClatchy filed a brief with the U.S. Senate stating the case for an exclusion act. The brief was presented to the Senate by California senator Hiram W. Johnson, an anti-Japanese supporter and a former California governor. To solidify West Coast political support Johnson organized an Executive Committee of Western States composed of one congressman from each of the eleven western states. These political officials collaborated with the California delegation to seek an exclusion act.

Two years later, in 1923, Congressman Albert Johnson of Washington state introduced an immigration bill within Congress. The bill prohibited the admission of aliens to the U.S. who were ineligible for citizenship. This provision was specifically targeting the Japanese since naturalization was restricted to only "free white persons".[3] Testifying in support of Congressman Johnson's bill were V.S. McClatchy; James D. Phelan, a former California senator; and Ulysses S. Webb, California state attorney general. McClatchy testified before the senate committee:

> "Of all the races ineligible to citizenship, the Japanese are the least assimilable and the most dangerous to this country . . . With great pride of race, they have no idea of assimilating in the sense of amalgamation. They do not come to this country with any desire or intent to lose their identity. They come here specifically and professedly for the purpose of colonizing and establishing here permanently the proud Yamato race. They never cease to be Japanese . . . In pursuit of their intent to colonize this country with that race they seek to secure land and to found large families . . .
> They have greater energy, greater determination, and greater ambition than the other yellow and brown races ineligible to citizenship, and with the same low standards of living, hours of labor, use of women and child labor, they naturally make more dangerous competitors in an economic way . . ."[4]

Webb remarked that, "It is not that we regard the Japanese as an inferior race or an inferior people. We are not concerned with that question. It is, however, because long experience and close touch with existing conditions have shown as that it is a question of race desirability."[5] Phelan was even more pointed in his remarks by saying: "The people of California object to the Japanese - and I say it involves the whole question - because of racial and economic reasons. . ."[6]

Despite these comments, the senate committe was not convinced. As a gesture of friendship to Japan, the Committee considered a token quota of 146 Japanese immigrants per year. Secretary of State Charles Evans Hughes favored a quota and an extension of the 1907 Gentleman's Agreement between the United States and Japan.[7] When some Congressmen charged that the Gentlemen's Agreement was a secret arrangement, Hughes asked the Japanese Ambassador, Mr. Misanao Hanihara, to summarize Japan's position on the Agreement and the immigration issue that the Committee was considering. Hanihara detailed the Agreement and in response to the Congressional efforts for exclusion said the following:

> " . . . It is indeed difficult to believe that it can be the intention of the people of your great country, who always stand for principles of justice and fair play in the intercourse of nations, to resort - in order to secure the annual exclusion of 146 Japanese - to a measure which would not only seriously offend the pride of a friendly nation, that has always been earnest and diligent in its efforts to preserve the friendship of your people, but would also seem to involve the question of good faith and therefore the honor of their government, or at least of its executive branch.
>
> Relying on the confidence you have been good enough to show me at all times, I have stated or rather repeated all this to you candidly and in a most friendly spirit, for I realize, as I believe you do, the grave consequences which the enactment of the measure retaining that principle provision would inevitably bring upon the otherwise happy and mutually advantagious relations between our two countries."[8]

Hanihara was indicating that the exclusion proposal of the

immigration measure was not in the best interests of either country. Henry Cabot Lodge, the Massachusetts senator, became enraged at the term "grave consequences" and charged that "The United States cannot legislate by the exercise by any other country of veiled threats." Hanihara responded to Secretary Hughes that "I am unable to understand how these two words read in their context could be construed as meaning anything like a threat. In using these words, I had no thought of being in any way disagreeable or discourteous and still less of conveying a 'veiled threat.'"[9]

Lodge's interpretation prevailed. The exclusion measure was unanimously passed and the Gentleman's Agreement with Japan was terminated. President Coolidge signed the immigration measure on May 26, 1924 and regretfully stated that "the impossibility of severing from it the exclusion provision which in the light of existing law affects especially the Japanese . . . If the exclusion provision stood alone, I would disapprove it without hesitation . . . "[10]

The immigration law went into effect March 1, 1925. American Ambassador to Japan, C. E. Woods, resigned in protest and said of the new law: "Japan does not want to force emigrants upon the United States if we do not wish to receive them." Ambassador Woods further protested that the "Japanese government, I believe, would be willing to agree to almost any form of restrictive treaty, but the exclusion provision of the immigration bill has struck a blow to their national pride . . . "[11]

The Exclusion Act of 1924 signaled the end to any meaningful relations that might have been enjoyed between the United States and Japan. Hosokawa states that "Historians have observed that the Exclusion Act sounded the death knell for the liberal pro-Western civilian political leadership that was struggling against militarism for control of Japan.

They see this as the turning point on a natural course that led Japan inevitably to military aggression in Asia, and ultimately to war against the United States."[12]

For the anti-Japanese forces in California, the Exclusion Act accomplished their long-standing crusade to stem the "yellow peril" from arriving on the West Coast of the United States. While the Law prevented any additional Japanese immigrants from coming to the United States it did not affect those already present. The anti-Japanese forces on the West Coast applauded the exclusion of the Japanese from the United States but their ultimate aim of ridding all Japanese from the Pacific Coast states was not yet achieved.

For the "Issei", the Japanese immigrant in the United States, the future was dim. They could not own or lease land; they were prevented from becoming citizens; and now, like the Chinese, their countrymen were no longer welcome to the United States. Their only hope would be their American-born children, the second generation "Nisei", who would enjoy the rights guaranteed by the Constitution as American citizens - rights that, they themselves, could not enjoy. Pearl Harbor, however, would still make this dream impossible.

CHAPTER III

THE JAPANESE AS A MILITARY THREAT

The individual directly responsible for the West Coast evacuation of the Japanese was the commander of the Western Defense Command (WDC). Lieutenant General John L. DeWitt. As the theater commander, the man on the ground, DeWitt was charged with the security of the Western United States. DeWitt's immediate wartime concerns were: (a) Naval attack on shipping in coastal waters; (b) Naval attack on coastal cities and vital installations; (c) Air raids on vital installations, particularly within two hundred miles of the coast; and (d) Sabotage of vital installations throughout the Western Defense Command.[13]

Actual Japanese naval activity off the West Coast during the early months of the war, though limited, contributed to the public's fears and reinforced the view that the Japanese threat was real.

The Japanese Sixth Fleet had nine submarines operating off the West Coast by December 17, 1941. Four submarines were successful in destroying two tankers and damaging one freighter. By February 1942, only two submarines, the I-8 and I-17, were operating off the Pacific Coast. The I-8 patrolled off the West Coast from San Francisco to Washington but was unsuccessful and returned to Japan. The I-17 surfaced near Goleta, California on February 25, 1942 and fired 13 rounds into an oil complex. No hits were scored and the I-17 returned to Japan.

The next night, February 26, 1942 anti-aircraft guns at Los Angeles fired some 1400 three-inch shells into the night. Nothing was shot down. The Army maintained that it was an air raid but the Navy opinion was that the "Battle of Los Angeles" was due to wartime jitters. While actual

wartime damage caused by the Japanese navy was minimal its contribution to wartime hysteria was significant. It only added to the rising crys for the evacuation of all Japanese from the Pacific Coast. By February 1942, there were few who were against evacuation and even fewer who would publicly voice any opposition.

The external threat only reinforced DeWitt's perception of the internal threat, in the form of sabotage and fifth-column activity, by subversive elements on the West Coast. At the outbreak of the War, the total number of Japanese residing in the United States was 126,947; merely one-tenth of one percent of the U.S. population. Almost all the Japanese, 117,364, resided in the eight Western states of the Western Defense Command (WDC) theater of operations. The Pacific Coast states of California, Washington, Oregon, and Arizona had112,985 Japanese, or 89% of the total Japanese population. California had the largest number of Japanese residents with 93,717. Of the 112,985 Japanese residing on the West Coast, 71,896, or 63.6% were U.S. citizens, the native-born Nisei. The remaining 41,089 were the Japanese aliens, the Issei immigrant.[14]

DeWitt was determined not to be caught unawares as had his counterpart, General Walker C. Short, the commander on Hawaii. Amid reports of sabotage by the Hawaiian Japanese, later proved to be false, DeWitt wanted to take immediate action against subversive elements in his theater of operations. The large number of aliens of all nationalities, not just the Japanese was a major concern. While there were more Italian aliens or German aliens than Japanese, DeWitt argued that the Japanese situtation was more complicated. The Japanese, as a race, were not assimiliable with U.S. ideals. Loyalty to the United States could not be determined on an individual basis as in the case of the Italians or Germans.

All Japanese, including American citizens of Japanese ancestry, were therefore considered by DeWitt to be disloyal. DeWitt's recommendation to the War Department for the evacuation of the Japanese showed his affinity towards the Japanese race. In his February 14, 1942 memorandum DeWitt wrote of the threat within his theater:

> "In the war in which we are now engaged racial affinities are not severed by migration. The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of United States citizenship, have become 'Americanized', the racial strains are undiluted. To conclude otherwise is to expect that children born of white parents on Japanese soil sever all racial affinity and become loyal Japanese subjects, ready to fight and, if necessary, to die for Japan in a war against the nation of their parents. That Japan is allied with Germany and Italy in this struggle is no ground for assuming that any Japanese, barred from assimilation by convention as he is, though born and raised in the United States, will not turn against this nation when the final test of loyalty comes. It, therefore, follows that along the vital Pacific Coast over 112,000 potential enemies, of Japanese extraction are at large today."[15]

The 112,000 "potential enemies" included the 71, 985 Japanese Americans. Less than two months previous to DeWitt's recommendations only enemy aliens were considered as threats to the Nation. In that short period public and political opinion would force action to include the American citizen of Japanese ancestry as a part of that threat.

On the day Pearl Harbor was bombed, President Roosevelt issued Proclamation No. 2525. This Proclamation identified enemy aliens as:

> "all natives, citizens, denizens, or subjects of the Empire of Japan being of the age of fourteen years and upwards who shall be within the United States or within any territories in any way subject to the jurisdiction of the United states and not actually naturalized and under such section of the United States Code are termed alien enemies . . . "[16]

The Proclamation assigned overall authority and responsibility for enemy alien control within the Continental United States, Puerto Rico, The Virgin Islands, and Alaska to the Attorney General, Francis Biddle. The

Secretary of War, Henry Stimson, was responsible for alien control within the Canal Zone, the Hawaiian Islands, and the Philippine Islands. The assignment of enemy alien control to the Justice Department would become a contentious issue with the War Department on the handling of the West Coast Japanese. Proclamation No. 2525 also placed restrictions on alien movement, prohibited possession of contraband items and provided for other restrictions against Japanese aliens.

While Proclamation No. 2525 affected only Japanese nationals, the President issued on December 8, 1941 Proclamations No. 2526 and 2527. These proclamations affected German and Italian aliens on the same basis as the Japanese. Of the five million aliens in the United States, the three Proclamations converted 900,000 into enemy aliens. Within DeWitt's Western Defense Command (WDC) there were 113,847 Italian and 97,080 German aliens as contrasted to the 47,305 Japanese aliens, almost all of which were on the West Coast.[17]

Under a blanket Presidential warrant, the FBI immediatedly apprehended Japanese aliens considered to be "dangerous to the public peace and safety of the United States." Hosokawa relates that the quick FBI action was prompted by three major concerns. The first was the concern for national safety, amid rumors from Hawaii of widespread sabotage. A second concern was for the safety of the resident Japanese at the hands of hysterical citizens or ill-trained local law-enforcement officials. The last concern was to assure the public that while the military was caught unawares at Pearl Harbor the FBI had the home front secure against sabotage and espionage.

The Department of Justice and the FBI, unlike the Army, had been prepared for the outbreak of war. Hosokawa writes that Jim Marshall, a

Pacific Coast citizen and highly knowledgable reporter, wrote in *Collier's* magazine in October 1941 that the Japanese community had been under close scrutiny "for five years or more" and "the concensus among intelligence people is that an overwhelming majority is loyal."[18]

A Special Defense Unit of the Department of Justice had been established shortly after Germany invaded Poland in 1939 to monitor the activities of the Japanese community. Even before Pearl Harbor, three categories of threat - A, B, and C - had already been established by the FBI. By December 8,1941, 733 "Category A" Japanese nationals had been seized by the FBI on the mainland and Hawaii. Within four days the number of detainees rose to 1,370. Before the program was completed, 2,192 Japanese aliens were apprehended.[19]

The detainees included community leaders, buddhist priests, Japanese language teachers, members and officials of suspected pro-Japanese organizations, and others who were considered security threats to the United States. In reflecting on the apprehensions, Edward J. Ennis, the Director of the Justice Department's Alien Enemy Control Unit, said:

> "Persons of Japanese ancestry were interned, several thousand men were interned, solely because we thought that, as a safety measure, the men who had been leaders in their communities, such as Japanese persons, should be put aside while we were fighting the war. We picked up on December 7, 1941, in this area a couple of thousand Japanese aliens. It took us several months - and in many cases years - to process those cases. Some of them were released outright; some of them were paroled."[20]

The FBI had prepared the local enforcement authorities on the handling of enemy aliens through classes and lectures. The Bureau's approach was to not use physical force on Japanese suspects but that mental domination was the objective. Apprehension and questioning would be on an individual basis and no mass raids were to occur. This methodical

approach would later be criticized as being too "liberal" in the handling of the Japanese.

Attorney General Frances Biddle guarded against the mass apprehension of aliens. In his memoirs, he related that "he was determined to avoid mass internment, and the persecution of aliens that had characterized the First World War."[21]

In the months following Pearl Harbor, Biddle was the only voice of reason and restraint in assuring the public that the FBI had the enemy alien situation under control. As early as December 8, 1941 he pleaded against witch-hunting and on December 10, 1941 stated publicly that "The great majority of our alien population will continue to be loyal to our government principles if we, the citizens of the United States, permit them to be."[22] Biddle, in radio and press announcements, was initially successful in reducing hysteria that was developing against the West Coast Japanese. The governors of the western states were affirming their confidence in the FBI to control subversive activity and this helped in calming the public's fears.

This confidence would soon wane because of increased fears of a growing security threat and the perceived ineffectiveness of the FBI and the Justice Department to control this threat. Inaccurate and irresponsible statements concerning sabotage and fifth-column activities by the Japanese on Hawaii would generate public pressure on the Justice Department to take more action against the West Coast Japanese. Irresponsible statements from the Presient's own cabinet, reflecting more sensationalism than accuracy, would initiate the cry for more drastic action against the Pacific Coast Japanese.

On December 15, 1941 Secretary of the Navy, Frank Knox contributed to the public's fears by relating his views on the damage done to Pearl Harbor. Upon his return from Pearl Harbor Knox said of the attack that "the most effective fifth-column work of the entire war was done in Hawaii, with the possible exception of Norway." Knox's reference to "fifth column work", though inaccurate, was carried nationwide as U.P. and A.P. releases.[23] Curtis B. Munson, State Department Special Representative, reported on December 20, 1941 that the term "fifth column" used by Knox was inaccurate. Four years later in hearings before the Joint Committee on the Investigation of Pearl Harbor, Munson's report would verify that Knox did not mean deliberate and planned sabotage by the resident Hawaiian Japanese. Knox had meant espionage activities by Japanese consular agents.

As the women and children refugees and the wounded arrived from Oahu, unverified reports of sabotage by the Hawaiian Japanese were circulated among the public. These reports added to the wartime hysteria and the public's mounting concern of possible West Coast sabotage by the resident Japanese. The concern was more acute in California since the Pearl Harbor refugees were processed through San Francisco.

The release of the Roberts Report on January 25, 1942 also added to the hysteria of the Pacific Coast population. The report concluded, falsely, that the operations of "Japanese spies and saboteurs" and some whom had "no open relations with the Japanese foreign service" had greatly increased the effectiveness of the attack on Pearl Harbor.[24] Roberts was also critical of the prewar counterespionage effort in Hawaii and implied that the FBI was ineffective by being held too closely to the Constitution. A major conclusion of the Roberts Report was that sterner

measures in Hawaii could have lessened or prevented the disaster and that something should be done to prevent a similar occurrence on the West Coast.

The purported sabotage by the Hawaiian Japanese was known to be false and was denied by federal and public officials. The most authoritative denial of sabotage was made by Samuel W. King, Hawaii's delegate to Congress. King's comments were printed in the *San Francisco Chronicle* on January 26, 1942. Other denials were issued by Henry L. Stimson, Secretary of War; James Rowe, Jr., Assistant to the Attorney General; W.A. Gabrielson, Honolulu Chief of Police; and J. Edgar Hoover, Director of the FBI.[25] These testimonials failed to calm the public's concerns and the cry for the mass evacuation of all Japanese, not just aliens, from the West Coast became more vocal.

The increase in the public's hysteria of the Japanese threat was in large measure due to the irresponsible and inaccurate reporting by the news media. Their opinions and editorials contributed to the belief that the government was insensitive to the security concerns of the West Coast public and of the Japanese threat that resided there.

Damon Runyan, a widely read Hearst newpaper columnist, wrote on January 4, 1942 in The Brighter Side column:

> "It would be extremely foolish to doubt the continued existence of enemy agents among the large alien Japanese population. Only recently city health inspectors looking over a Japanese rooming house came upon a powerful transmitter, and it is reasonable to assume that menace of a similar character must be constantly guarded against throughout the war."[26]

Runyon was incorrect in that no radio transmitter was found. Unsubstantiated and inaccurate reports, like those of Runyon, were common and only added to the public's fears rather than calm them.

Henry McLemore, writing in the *San Francisco Examiner*, another Hearst newspaper, said of the Japanese:

> "I am for the immediate removal of every Japanese on the West Coast in a point deep in the interior. Herd 'em up, pack 'em off, and give 'em the inside room of the badlands. Let 'em be pinched, hurt, hungry, and dead up against it. . . . Personally, I hate the Japanese. And that goes for all of them."[27]

McLemore was critical of the perceived insensitivity of the federal government regarding West Coast security. He was even more critical of Attorney General Biddle. In a personal attack on February 5, 1942, McLemore wrote in the *San Francisco Examiner*:

> "Mr. Biddle is the Attorney General - 'rt he could run for office in California and not even win the post of third assistant dog catcher in charge of liver spotted airedales. That's the way they feel about Mr. 'Blueblood' Biddle out here. Maybe the feeling is all wrong. Maybe they have the man pegged incorrectly. I wouldn't know about that. All I know is that Californians have the feeling that he is the one in charge of the Japanese menace, and that he is handling it with all the severity of Lord Fauntleroy playing squat tag with his maiden aunt. I've been here a week now, and have traveled a few hundred miles up and down the coast, and have yet to meet a man, woman, or child who doesn't think that Mr. Biddle's handling of the bow-legged sons and daughters of the Rising Sun is mighty ridiculous"[28]

Perhaps the most damning statement came from Walter Lippman, one of the most influential columnist in the nation. Lippman had come to California to assess the Japanese situation. In his article, The Fifth Column On the West Coast, Lippman wrote:

> "the Pacific Coast is in imminent danger of a combined attack within and from without. . . . It is [true]...that since the outbreak of the Japanese war there has been no important sabotage on the Pacific Coast. From what we know about the fifth column in Europe, this is not, as some have liked to think, a sign that there is nothing to be feared. It is a sign that the blow is well organized, and that it is held back until it can be struck with maximum effect. . . . I am sure I understand fully and appreciate thoroughly the unwillingness of Washington to adopt a policy of mass evacuation and internment of all those who are technically enemy aliens. But I submit that Washington is not defining the problem on the coast

> correctly. . . . The Pacific Coast is officially a combat zone: some part of it may at any moment be a battlefield. Nobody's Constitutional rights include the right to reside and do business on a battlefield. And nobody ought to be on a battlefield who has no good reason for being there." [29]

Lippman's rationale that no sabotage had yet occurred because it was a well-coordinated effort would be parroted by both the California Attorney General, Earl Warren, and by Lieutenant General Dewitt, the Western Defense Commander to justify the mass evacuation of all the West Coast Japanese.

Commenting on Lippman's article, Westbrook Pegler, a Scripps-Howard columnist, gave his own views:

> "Do you get what he says? This is a high-grade fellow with a heavy sense of responsibility. . . . The Japanese should be under armed guard to the last man and women right now - and to hell with habeas corpus until the danger is over. . . . If it isn't true, we can take it out on Lippman, but on his reputation I will bet it is all true. . . . We are so dumb and considerate of the minute consititutional rights and even of the political feelings and influence of people whom we have every reason to anticipate with preventive action."[30]

Pegler's comments showed the irrationality that wartime hysteria brought that would not otherwise occur in times of peace. The brushing away of the constitutional rights of citizens, so easily, by an individual of an industry that normally treasured constitutional protection would be commonplace among the media.

By early January 1942 politicians were also being pressured by their constituents for more stringent federal action against the Japanese threat. California Republican, Leland Ford from Santa Monica wrote to Secretary of War Stimson on January 16, 1942 of the many letters he received from his constituents. These letters sought the mass evacuation of the Japanese "to prevent any fifth column activity." Leland offered his own solution regarding the Japanese:

"That all Japanese, whether citizens or not, be placed in inland concentration camps. As justification for this, I submit that if an American born Japanese who is a citizen, is really patriotic and wishes to make his contribution to the safety and welfare of this country, right here is his opportunity to do so, namely, that by permitting himself to be placed in a concentration camp, he would be making his sacrifice, and he should be willing to do it if he is patriotic and working for us. As against his sacrifice, millions of other native born citizens are willing to lay down their lives, which is a far greater sacrifice, of course, than being placed in a concentration camp. Therefore any loyal Japanese should not hesitate to do that which is absolutely the best for the country, and to operate in such a manner that his particular activity would be for the greater benefit."[31]

The effect that public opinion had on political officials in deciding the fate of the Japanese was compelling. Ford, as early as December 15, 1942 was defending citizens of Japanese ancestry instead of calling for their confinement. In response to Mississippi Democrat John Rankin's call for "deporting every Jap who claims, or has claimed, Japanese citizenship, or sympathizes with Japan in this war," Ford had replied with: "These people are American born. They cannot be deported . . . whether we like it or whether we do not. This is their country. . . ."[32]

Secretary Stimson's reply to Ford on January 16, 1942 clarified the position of the War Department on the Japanese threat and sugggested that Ford direct his efforts to the Justice Department. Stimson's aim was to exert pressure on Attorney General Biddle who had been resisting the War Departments's thrust for total Japanese evacuaion. Secretary Stimson replied to Ford:

Dear Mr. Ford:

This will acknowledge receipt of your letter of January 16, 1942, proposing the evacuation of all Japanese from the Pacific Coast and their internment inland in order to prevent fifth-column activity. . . .

Responsibility and authority for the determination of the necessity for internment in continental United States has been delegated by the President to the Attorney General by proclamations dated December 7, 1941. Those ordered interned by the Department of Justice are turned

over to the Army for custody. The Army is prepared to provide internment facilities in the interior to the extent necessary.

The Army is submitting recommendations to the Attorney General for designation by him of restricted areas on the Pacific Coast. This, together with the pending alien registration directed by the President should formulate the basis for a definite program of security from fifth-column activity emanating from this source. I take the liberty of suggesting that you present your views to the Attorney General for consideration.

I am grateful for your interest.

Sincerely yours,
Henry L. Stimson
Secretary of War[33]

In analyzing Stimson's response, Daniels indicates that the War Department was already leaning towards the mass evacuation of all Japanese from the West Coast, including citizens. Stimson made no distinction between alien or citizens of Japanese ancestry eventhough the Proclamations mentioned in his letter only applied to aliens. The Proclamations issued on December 7 and 8, 1941 also affected aliens of Germany, Italy, and Japan but Stimson's referral to "over a hundred thousand people" was a direct reference only to the Japanese population on the West Coast. No effort was made in Stimson's letter to allay any fears of fifth-column activity eventhough the War Department was aware that none had occurred, either in the U.S. or Hawaii. While the letter was signed by Stimson, Daniel suggests that the letter actually represented the views of the Provost Marshall General (PMG), Lieutenant General Allen Gullion. Gullion would become the primary architect for the War Department for the eventual evacuation of the West Coast Japanese.

On January 20, 1942 Ford spoke to the House membership and on February 9, 1942 he gave a radio address on the Japanese threat and urged for the mass internment of all Japanese. Ford, as well as other West

Coast politicians, had become extremely frustrated by Attorney General Biddle's position that no action would be taken against American citizens so long as the writ of habeus corpus remained intact.

Ford's Pacific Coast collegues, anxious that California's security concerns were not being sympathetically addressed by the government, secretly organized themselves to force federal action. Senior California representative Clarence Lea and California's senior lawmaker, Senator Hiram Johnson organized a caucus of the Pacific Coast delegation. Johnson appointed two subcommittees. Senator Rufus C. Holman of Oregon headed the committee to study proposals for strengthing coastal defenses. More importantly, Senator Mon C. Walgren of Washington was to lead the committee to address the question of the West Coast Japanese and the prevention of sabotage. Members of Walgren's committee were Senator Bone of Washington; Senator Downey of California; California Representatives Costello, Welch, Elliott, Anderson, Voorhis, Leland Ford, Gearhart, Sheppard, Folph, and Thomas F. Ford; Representative Pierce of Oregon; and Representatives Hill and Angell of Washington.

To solidify their position for mass evacuation, the Pacific Coast delegation requested a briefing on the Japanese from the military. Admiral Harold R. Stark, Chief of Naval Operations and Brigadier General Mark Clark from the General Staff provided the Committee a military assessment on February 4, 1942. Stetson Conn, chief historian for the Army reported:

> "General Clark said that he thought the Pacific states were unduly alarmed. While both he and Admiral Stark agreed the West Coast defenses were not adequate to prevent the enemy from attacking, they also agreed that the chance of any sustained attack or of any invasion was - as General Clark put it - nil. They recognized that sporadic air raids on key installations were a distinct possibility, but they also held that the West Coast military defenses were considerable and in fairly good shape, and as

> Admiral Stark said, from the military point of view the Pacific Coast necessarily had a low priority as compared with Hawaii and the far Pacific."[34]

Despite these assurances the Pacific Coast Delegation was not convinced by the testimony. On February 10, 1942 Senator Walgren's committee recommended "the immediate evacuation of all persons, alien, and citizen, from all strategic areas and that only such persons be permitted to remain or return to such areas as shall have been granted special license for that purpose." Three days later the resolution was rewritten with emphasis towards the Japanese and was forwarded to the President. It specifically called for "the immediate evacuation of all persons of Japanese lineage and all others, aliens and citizens alike, whose presence shall be deemed dangerous or inimical to the safety to the defense of the United States from all strategic areas."[35] The reality of this change was that only the Japanese minority would be evacuated, not Germans or Italians.

While the Pacific Coast politicians actively campaigned for action against the West Coast Japanese the issue was not a major one within the whole of Congress. The most enthusiastic support outside of California came from three white supremacists, Senator Tom Stewart of Tennessee and Representatives John Rankin of Mississippi and Martin Dies of Texas. Stewart and Rankin set forth their views of the Japanese as recorded in the Congressional Record:

> Senator Stewart: "They [the Japanese] are cowardly and immoral. They are different from Americans in every conceivable way, and no Japanese . . . should have the right to claim American citizenship . . . A Jap is a Jap anywhere you find him, and his taking the oath of allegiance to the country would not help, even if he should be permitted to do so. They do not believe in God, and have no respect for an oath . . . "[36]

> Congressman Rankin: "[I'm] for catching every Japanese in America ,

> Alaska, and Hawaii now and putting them in concentration camps and shipping them back to Asia as soon as possible. This is a race war, as far as the Pacific side of this conflict is concered . . . The white man's civilization has come into conflict with Japanese barbarism. . . . One of them must be destroyed. . . . I say it is of vital importance what we get rid of every Japanese whether in Hawaii or the mainland. They violate every sacred promise, every canon of honor and decency . . . These Japs who had been [in Hawaii] for generations were making signs, if you please, guiding the Japanese planes to the objects of their iniquity in order that they might destroy our naval vessels, murder our soldiers and sailors, and blow to pieces the helpless women and children of Hawaii. Damn them! Let's get rid of them now!"[37]

The Pacific Coast delegation was effective because there was no active opposition to their efforts in Congress. Unlike the Italians or Germans, the Japanese did not have the same political leverage or Congressional support as these other ethnic groups.

The problem of the Japanese was viewed as more of a West Coast problem that was not a major issue for the rest of the United States. Hosokawa quotes Grodzins who said of Congress:

> "The Southern Trio - Dies, Rankin and Stewart - were the only members of Congress outside the Pacific Coast delegations to show an appreciable interest in fostering the Japanese evacaution. If the group from the three Western states thus received only limited support, the more pertinent comment is that they received no opposition. The truth of the matter was that the vast majority of the nonwestern Congressmen and Senators were unacquainted with the Japanese problem or simply uninterested in it . . . -[38]

While the Pacific Coast delegation was active at the national level, calls for the total evacuation of the Japanese threat were also heard at the state levels. Local officials, such as Mayor Fletcher Bowron of Los Angeles, where twenty percent of the Japanese population resided, were just as vocal in the elimination of the Japanese from the Pacific Coast. Bowron, in a radio announcement on February 5, 1942 focused not on the alien Japanese but on the Japanese American and their potential for sabotage. Bowron said :

> "Right here in our city are those who may spring to action at an appointed time in accordance with a prearranged plan wherein each of our little Japanese friends will know his part in the event of an possible invasion or air raid. . . . [Even if] all of the alien Japanese should be placed in concentration camps or evaucated from the coastal areas, we would still have with us the *more perplexing problem of the American-born* Japanese, among whom are unquestionably a number of persons who are loyal to this country - and a number who are doubtless loyal to Japan waiting probably, to play their part when the time comes. . . . the most natural thing would be for the most dangerous [Japanese American] to condemn the Japanese war clique, the Axis Powers, to loudly declare a prejudice against Japan and proclaim a belief in American democracy with an emotional pledge to the Stars and Stripes. Of course they would try and fool us. They did in Honolulu and on Manilla, and we may expect it in California. . . . If we can send our own men to war . . . it is nothing less than sticky sentimentality to say that we will do injustice to American-born Japanese to merely put them in a place of safety so that they can do no harm. . . . The Japanese problem is centered in Los Angeles, and we are the ones who will be the human sacrifices if the perfidy that characterized the attack on Pearl Harbor is ever duplicated on the American continent. . . . We take our own boy's to fight. Let us take the native-born Japanese to serve the country in another way. If they are loyal to this country they could not object; if they are loyal to Japan it would be the best and safest place for them"[39]

Many years later, in September 1953, Bowron would explain his motives to a Congressional Committee:

> "I was mayor during all of the war period . . . and I know of the hysteria, the wild rumors, the reports, that pervaded the atmosphere and worried a great many of us in responsible positions . . . We were quite disorganized. . . . There were many rumors floating around as a result of which, this order of evacuation was made. . . . I rather hold myself somewhat responsible, with others. . . . I realize that great injustices were done. . . . I thought it was the right thing to do at the time; in the light of after events, I think it was wrong, however . . . [40]

California Governor Culbert Olson, a liberal Democrat, had insisted even before Pearl Harbor that Japanese-Americans should enjoy all their rights and privileges even if war came. Olson changed his position substantially in the months following. Succumbing to public pressure Olson, who faced a state election in 1942, told the public in a radio address on February 4, 1942 that "it is known that there are Japanese residents of California who have sought to aid the Japanese enemy by way

of communicating information, or have shown indications of preparation for fifth-column activities"[41]

Statements by Earl Warren, California's Attorney General and a candidate for the 1942 California governorship, added to the fervor for mass evacuation of the Japanese. Warren, associated with the most influential nativist group in California, the Joint Immigration Committee, testified before the Tolan Committee on February 12, 1942. Echoing Walter Lippman's explanation as to why no West Coast sabotage had yet occurred, Warren told the Committee:

> "Unfortunately [many] are of the opinion that because we have had no sabotage and no fifth column activities in this State . . . that none have been planned for us. But I take the view that this is the most ominous sign in our whole situation. It convinces me more than perhaps any other factor that the sabotage we are to get, the fifth column actitivities we are to get, are timed just like Pearl Harbor was timed and just like the invasion of France, and of Denmark, and of Norway, and all of those countries.
>
> I believe that we are just being lulled into a false sense of security and that the only reason we haven't had disaster in California is because it has been timed for a different date . . . our day of reckoning is bound to come in that regard.[42]

It was public knowledge that no fifth column activities had occurred on Hawaii. Warren's statement was either calculating or irresponsible. His views as the state's top legal representative, carried substantial influence and added to the public's concern for more stringent action against the Japanese alien and Japanese American citizen.

Statements from key state officials, such as Attorny General Warren and Governor Olson, and from prominent columnists, like Lippman and McLemore , significantly influenced the public's hysteria of the Japanese threat that resided on the West Coast. It also gave much support to the anti-Japanese forces on the West Coast.

The anti-Japanese elements seized upon the wartime hysteria to continue their long-standing objective for Japanese exclusion that had only been partly realized with the Immigration Act of 1924. The opportunity to rid California of all its Japanese residents was now possible.

Strong denunciations by the Native Sons and Daughters of the Golden West, one of California's eminent anti-oriental organizations, were renewed. In the organization's January, 1942 printing of the *Grizzly Bear*, Clarence M. Hunt, Deputy Grand President and editor said the following:

> "Had the warnings been heeded - had the federal and state authorities been 'on the alert,' and rigidly enforced the Exclusion Law and the Alien Land Law; had the Jap propoganda agencies in this country been silenced; had legislation been enacted . . . denying citizenship to the offspring of an alien ineligible to citizenship; had the Japs been prohibited from colonizing in strategic locations; had not Jap-dollars been so eagerly sought by white landowners and businessmen; had a deaf ear been turned to the honeyed words of the the Japs and pro-Japs; had the yellow-Jap and the white-Jap 'fifth columnists' been disposed of within the law; had Japan been denied the privilege of using California as a breeding-grounds for dual citizens (Nesei); - the treacherous Japs probably would have not attacked Pearl Harbor December 7, 1941, and this country would not today be at war with Japan."[43]

Similar denunciations were made by other anti-Japanese organizations. The Secretary of the Grower-Shipper Vegetable Association said of the Japanese:

> "We're charged with wanting to get rid of the Japs for selfish reasons. We might as well be honest. We do. It's a question of whether the white men lives on the Pacific Coast or the brown men. They came into this valley to work and they stayed to take over. . . If all the Japs were removed tomorrow, we'd never miss them in two weeks, because the white farmers can take over and produce everything the Jap grows. And we don't want them back when the war ends either."[44]

The social and political environment were ripe for the unprecedented evacuation of the Japanese population from the West Coast. The fact that no sabotage by the Hawaiian Japanese had occurred was not believed,

either purposely or mistakenly. Wartime hysteria was a reality. It was fueled by the media, through sensational and many times inaccurate reporting, and by statements from political figures at the local, state, and national levels.

The only voice of restraint and reason against the mounting pressure for the mass evacuation of all the Japanese came from the Justice Department. Attorney General Biddle and his associates, Edward J. Ennis and James Rowe, Jr., had always stood firm, not only against the mass roundup of aliens but of the mass apprehension and removal of citizens. They , with FBI Director J. Edgar Hoover, were confdent that the Japanese threat on the West Coast did not exist to the extent perceived by the military. The unbridled irresponsibiity of the media and of public officials was of major concern to Biddle because of the widespread hysteria that it generated. On February 17, 1942 Biddle expressed his concerns to the President and warned of the consequences:

MEMORANDUM FOR THE PRESIDENT

For several weeks there have been increasing demands for evacuation of all Japanese, aliens and citizens alike, from the West Coast states. A great many of the West Coast people distrust the Japanese, various special interests would welcome their removal from good farm land and the elimination of their competition, some of the local California radio and press have demanded evacuation, the West Coast Congressional Delegation are asking the same thing and finally, Walter Lippman and Westbrook Pegler recently have taken up the evacuation cry on the ground that attack on the West Coast and widespread sabotage is imminent. My last advice from the War Department is that there is no evidence of imminent attack and from the FBI that there is no evidence of planned sabotage.

. . .

Is is extremely dangerous, acting as 'Armchair Strategists and Junior G-Men', to suggest that an attack on the West Coast and planned sabotage is imminent when the military authorities and the FBI have indicated that this is not the fact. It comes close to shouting FIRE! in the theater; and if race riots occur, these writers will bear a heavy responsibility. Either Lippman has information which the War Department and the FBI

> apparently do not have, or is acting with dangerous irresponsibility.
> It would serve to clarify the situation in the public mind if you see fit to mention it.[45]

Biddle's memorandum was forwarded too late to do much good. Unknown to Biddle, President Roosevelt had already made a decision on February 11, 1942. Secretary of War Stimson had received Roosevelt's verbal approval to assume responsibility for enemy alien control on the West Coast. Secretary Stimson related that Roosevelt "told me to go ahead on the line that I had myself thought the best." Roosevelt's only admonition was: "Be as reasonable as you can."

With this unprecedented delegation of Presidential authority, the War Department would begin the machinery that would result in the total evacuation of all Japanese from the West Coast and their subsequent relocation inland.

CHAPTER IV

TOTAL MILITARY AUTHORITY - EXECUTIVE ORDER 9066

With enemy alien control assigned to the Justice Department by Presidential Proclamations, there was little positive action the War Department could take to protect against subversive or fifth-column activity. The initial FBI apprehensions of suspected enemy aliens had done little to reduce the military's concern that such limited action had eliminated the threat completely. There were still a large number of enemy aliens and Japanese Americans who remained untouched within areas considered militarily or stategically important.

The Justice Department approach was to preclude the mass roundup of civilians. The Attorney General, Francis Biddle was even more adament on the position not to evacuate American citizens of Japanese ancestry. The War Department, however, was never in agreement with this approach. The idea of military control over civilians was not a new one that developed after Pearl Harbor. The Army had speculated on the issue much earlier.

The Army's intelligence organization had considered the question of civilian restraint as eary as July, 1940. Worried that American experience did not satisfactorily address internal subversive action, the Army was concerned that:

> "[The United States] did not contemplate sufficiently the importance of military control to counter 'Fifth Column' activities. These activities have been so successful in the European War and are so closely integrated with the armed and uniformed forces of the enemy as to force recognition of an internal as well as an external military front. This means that the military will . . . have to provide for the arrest and temporary holding of a large number of suspects."[46]

In a July 1940 memorandum to the Judge Advocate General (JAG), the Army's senior legal advisor, the following questions were posed by Army Intelligence:

> "a. In the zone of the interior, as differentiated by the theater of operations under military control, to what extent can the military legally, actually control through the Provost Marshall Generals, local forces, police or constabulary, any operations against 'Fifth Columnists'"?
>
> b. Can the Military in the zone of the interior participate in the arrest and temporary holding of civilians who are not alien enemies of the United States?"[47]

The JAG, Major General Allen W. Gullion, who would later become the Provost Marshall General (PMG) and the primary War Department advisor for Japanese evacuation, issued his response in August 1940. To the first question, Gullion replied that enemy alien control in wartime was derived from an active WW I statute which allowed for the arrest of aliens "at the pleasure of the President " and defined aliens to be persons fourteen years of age or older. In response to the second question, which involved military seizure of civilians without trial, Gullion responded in the negative. The only exceptions for citizen restraint were espionage on military premises or in which martial law was declared. After Pearl Harbor, Gullion in his capacity as the Provost Marshall General, the Army's top law enforcement authority, undoubtedly remembered his own advice. He would become the War Department's key official who would legally orchestrate the evacuation of all Japanese from the West Coast.

DeWitt spoke to Gullion on December 26, 1941 regarding the enemy aliens in his theater of operations. DeWitt, in this early stage, was against the internment of the Japanese American citizens. On this issue, he told Gullion:

> "I thought the thing out to my satisfaction. . . . if we go ahead and arrest the 93,000 Japanese, native born and foreign born, we are going to have

an awful job on our hands and we are liable to alienate the loyal Japanese from disloyal. . . . I'm very doubtful that it would be common sense procedure to try and intern or to intern 117,000 Japanese in this theater . . . I told the governors of all the states that those people should be watched better if they were watched by the police and the people of the community in which they live and have been living for years . . . and then inform the FBI or the military authorities of any suspicious action so we could take necessary steps to handle it . . . rather than try to intern those people, men, women, and children, and hold them under military control and under guard. I don't think it's a sensible thing to do. . . . I'd rather go along the way we are now . . . rather than attempt any such wholesale internment. . . . An American citizen, after all is an American citizen. and while they all may not be loyal, I think we can weed the disloyal out of the loyal and lock them up if necessary"[48]

De Witt's early opinions regarding the American citizen of Japanese ancestry would do a complete reversal in the months to follow. Daniels notes that DeWitt:

"came more and more under the influence of PMG Gullion, who, at the end of December, sent the Chief of his Aliens Division, Major Karl R. Bendetsen to DeWitt's headquarters. Bendetsen, despite his low rank, became a key figure in the decision-making process and seemed to have greater influence over DeWitt than members of his own staff. DeWitt's own chief of intelligence, Lieutenant Colonel John R. Weckerling, consistently advised against mass evacuation, and may have helped shaped DeWitt's December views."[49]

DeWitt's propensity for indecision was noted by Attorney General Biddle who said of DeWitt's decision swings that "he was apt to waiver under popular pressure, a characteristic arising from his tendency to reflect the views of the last man to whom he talked."[50] The indecisiveness of DeWitt would allow for his manipulation by Gullion and others in the War Department and would shape DeWitt's eventual actions that would lead to the evacuation of the West Coast Japanese.

Gullion was a typical bureaucrat who was trying to expand the scope and size of his functions as the PMG. As early as December 22, 1941 Gullion had requested Secretary of War Stimson to press the President for the transfer of alien control to the War Department. Gullion could not take any preventive measures because of the Presidential Proclamations

that had given enemy alien responsibility to the Justice Department. The transfer issue was delayed because of the Justice Department's promise to be more responsive to the War Department's concerns.

In early January 1942 Gullion sent his representative, Major Karl Bendetsen, to attend a meeting in San Francisco between the Justice Department and DeWitt. DeWitt had requested the meeting because of the perceived slowness of the Justice Department to take action against the alien threat. The rising public and political emotions concerning the Japanese threat were also on the increase. At the January 2-5 meeting the Justice Department agreed to support DeWitt on alien registration; searches and seizures; and the designation of prohibited areas.

Bendetsen, while still at DeWitt's headquarters, prepared a memorandum to DeWitt that outlined the authority that the PMG's Office was seeking regarding the West Coast Japanese. DeWitt was to use this memorandum to request War Department support. The intent was that if the field commander was making the request, this would have more influence on the War Department.

A significant provision of the PMG memorandum was the immediate and complete registration of all enemy aliens to form the basis for a pass and permit system and for a continental travel regulation system. Daniels notes that Bendetson and others in the PMG's office knew that Attorney General Biddle, responsible for continental security, would directly oppose such an internal security bureacracy. As a conclusion, Bendetsen proposed that if the Justice Department was unwilling to assume this responsibility then the War Department should implement it.[51]

DeWitt, as a result of the January meeting, forwarded a list of 99 prohibited zones and two restricted areas in California for Justice

Department designation. DeWitt's recommendations, forwarded to the War Department on January 21, 1942, was received on January 25, 1942 and was forwarded to the Justice Department the same day. Later recommendations added another 49 prohibited areas - seven in Washington, 24 in Oregon, and 18 in Arizona.

The Justice Department announced the prohibited and restricted areas in a series of public releases issued from January 29 through February 7, 1942. The effective dates from which all aliens were to be excluded from these areas were February 15th or 24th, depending upon the area.

The Justice Department also identified, based on DeWitt's recommendations, a much larger restricted zone which encompassed the entire coastline of California from the Oregon border south to a point approximately 50 miles north of Los Angeles and extending inland for distances varying from 30 to 150 miles. This restricted zone did not require alien evacuation but subjected aliens to curfew and movement restrictions.

Daniels notes that this restricted zone "would have affected more German and Italian aliens than Japanese because the city and county of Los Angeles, where most Japanese Americans lived, were not restricted. The restricted area also omitted almost all of the large West Coast aircraft factories which were in San Diego, Los Angeles, and Seattle."[52]

While DeWitt was adamant on the total removal of aliens from the West Coast, Gullion's office was concentrating on the evacuation of only the Japanese, including American citizens. Bendetsen, Gullion's Chief of Aliens Division, raised the legality of citizen evacuation in a January 29, 1942 telephone conversation with James Rowe, Jr. of the Justice Department. The conversation reflected the opposing views of the Justice

and War Departments on the issue of citizen exclusion and evacuation from prohibited areas:

> Bendetsen: At any rate it concerns Bainbridge Island in Puget Sound. . . . But this relates to more, the request is that it be declared a restricted area to all concerned.
>
> Rowe: You mean prohibited or restricted?
>
> Bendetsen: I'm using your terms, prohibited to all concerned including citizens, except that those who are not of Japanese extraction can be permitted. Can you do that?
>
> Rowe: I don't know.
>
> Bendetsen: Can you keep citizens out?
>
> Rowe: We haven't got any jurisdiction. . . . The Department can't just tell citizens to get off - if you can do it as a military problem some way.
>
> Bendetsen: Of course there are a number of citizens on there whom they want to remain, naturally, those employed in ship building.
>
> Rowe: They just want the Jap citizens off.
>
> Bendetsen: That's right. All enemy aliens and all people of Japanese ancestry.
>
> Rowe: Well, I'll talk to Ed [Ennis] about it. I don't know how they can just kick a lot of civilians out in a prohibited area *because if you do that than every area you already requested*, you'll want citizens kicked out too, American citizens of Japanese extraction.
>
> Bendetsen: That might come, yes. Of course it's not before us now but it might come.
>
> Rowe: Oh, well, if we do it once, we'll have it the next day. The Navy will say Terminal Island. . . . The only thing that bothers me, if we agree on one we might as well admit that we're going to have the same problem in every prohibited area, they'll want all Jap citizens out. But anyway I don't know that we can do it. I'll talk to Mr. Ennic and see what his thoughts are, and we'll talk to you this afternoon."[53]

By February 1942 public and political pressure on the West Coast was mounting for the evacuation of all Japanese, alien and citizen, despite the fact that aliens were already being excluded from the prohibited areas that had been designated by the Justice Department. Attorney General Biddle, under tremendous public pressure, continued to resist the War Department's efforts for the mass exclusion of the Japanese American from the prohibited areas. Biddle reemphasized the Department's position on citizen evacuation in a February 12, 1942 letter to Secretary of War

Stimson. Biddle told Stimson: "the procalmations issued by the President directing the Department of Justice to apprehend and evacuate alien enemies do not include American citizens of the Japanese race; therefore the Department of Justice has no power or authority to evacuate American-Japanese."[54] Biddle suggested, however, that other means were available:

> "The question as to whether or not Japanese should be evacuated, whether citizens or not, necessarily involves a judgment based on military considerations. This, of course, is the responsibility of the Army. I have no doubt that the Army can legally, at any time, evacuate all persons in a specified territory if such action is deemed essential from a military point of view for the protection and defense of the area. No legal problem arises where Japanese citizens are evacuated; but American citizens of Japanese origin could not, in my opinion, be singled out of an area and evacuated with the other Japanese. However, the result might be accomplished by evacuating all persons in the area and then licensing back those whom the military authorities thought were not objectionable from a military point of view. These suggestions are made to you for your careful consideration in view of your prior recommendations and of the probable necessity of your taking further rigorous action."[54]

Biddle's suggestion to Secretary of War Stimson would not be necessary. Secretary of War Stimson, in counsel with Assistant Secretary of War, John J. McCloy; Provost Marshall General, Allen Gullion; and General Mark Clark, convinced the President to turn the Japanese situation over to the War Department. On February 11, 1942 the President gave verbal approval, unknown to Biddle, to Secretary Stimson to take whatever action was necessary.

To formalize the President's verbal authorization, PMG Gullion drafted the necessary language that was needed by the War Department to accomplish its objectives. Without hesitation Roosevelt signed Executive Order 9066 on February 19, 1942. The Justice Department no longer had responsibility for enemy alien control on the West Coast and the authority

provided by Presidential Procalamations 2525, 2526, and 2527 were rescinded.

Executive Order 9066 gave sweeping and unprecedented presidential powers to a subordinate. The Secretary of War or his designated Commander had the authority:

> "to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any persons 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."[56]

While only used against the Japanese, the language of EO 9066 was precisely written to give the War Department total authority and flexibiity. Daniel suggests that Provost Marshall General (PMG), Allen W. Gullion, "had shrewdly designed it so that it could be applied against any group anywhere in the country. No geographical areas were specified, no ethnic group mentioned, and no distinctions made between citizen and alien."[57]

Executive Order 9066 gave the War Department unrestricted authority but judgement in the use of this authority was at the discretion of the Secretary of War or his designated commander. Within the executive branch there was much debate on the extent and use of this new authority. The PMG's office wanted a mass evacuation of the Japanese east of the Sierra Nevadas; Assistant Secretary of War McCloy talked about "Jap-less Islands", strategic and military areas free of Japanese; and Governor Olson of California was considering the "California Plan" of relocating Japanese on a voluntary basis out of prohibited areas into other areas of California.

DeWitt's recommendations as the Western Defense Commander emphasized alien removal, without distinction to nationality, from military designated areas. DeWitt's recommendations for military areas were forwarded to the War Department on February 13,1942 and was received on February 18, 1942. These military areas were: (a) San Diego; (b) Los Angeles; (c) San Francisco, including the entire bay district; (d) The portion of Washington lying west of the Cascade Mountains; (e) The northwest portion of Oregon lying west of the Cascade Mountains; and (f) A strip along the Pacific Coast fifteen miles deep.[58] DeWitt's recommendations would have involved 133,000 people: about 69,000 Japanese (25,000 aliens and 44,000 citizens), 44,000 Italian aliens and 20,000 German aliens.

DeWitt was also willing to accept Governor Olson's "California Plan", discussed at a February 2, 1942 meeting with Olson, DeWitt, and other state and government representatives. This plan would have resulted in only a limited intrastate evacuation of Japanese Americans on a voluntary basis.

On February 20, 1942, the day after EO 9066 was signed by the President, Stimson designated DeWitt "as the Military Commander to carry out the duties and responsibilities imposed by said Executive Order for that portion of the United States embraced in the Western Defense Command."[59] Stimson also gave DeWitt specific instructions regarding the implementation of EO 9066. This included Roosevelt's desire for the special handling of Italians. In his delegation letter, Stimson told DeWitt:

> "In carrying out you duties under this delegation, I desire, so far as military requirements permit, that you do not disturb, for the time being at least, Italian aliens and persons of Italian lineage except where they are, in your judgment, undesirable or constitute a definite danger to the

performance of your mission to defend the West Coast. I ask that you take this action in respect to Italians for the reason that I consider such persons to be potentially less dangerous than other enemy nationalities. Because of the size of the Italian population and the number of troops and facilities which would have to be employed to deal with them, their inclusion in the general plan would greatly overtax our strength. In this connection it may be necessary for you to relieve Italian aliens from the necessity for compliance with the Attorney General's order respecting the California prohibited areas 1 to 88 (Category A). This may appropriately be done by designating, sufficiently in advance of February 24, the said areas as military areas and by excepting Italian aliens from the classes excluded.[60]

Secretary Stimson's instructions would be followed by DeWitt, not only for the Italians but for the Germans, as well. Stimson's comments in referring to Italians as "such persons to be potentially less dangerous than other enemy nationalities" reflected the War Department's view that ethnic groups, not individuality, were the criteria for determining loyalty to the United States. This racist view would also be used by DeWitt, the ground commander, and many others to conclude that racial strain, not citizenship, was the determining factor which justified the mass evacuation of only the Japanese.

Daniels suggests that DeWitt "was merely an instrument. Had not his view found resounding support in other sectors of American life - and been reinforced by that support - the evacutation would never have taken place."[61] While DeWitt, as the ground commander, would decide the military necessity for the mass evacuation of the Japanese it was the War Department that actually guided the actions of DeWitt. Daniels said of the War Department's involvement:

Assistant Secretary McCloy, who now took full charge of the Washington end of evacuation and relocation planning, sent even more detailed instructions to DeWitt the same day in a five-page Outline Memorandum'. This spelled out the briefer instructions in Stimson's letter. The two documents, taken together, demonstrate clearly that in the final analysis, Washington and not DeWitt's Western Defense Command made the crucial decisions. The memorandum discussed five categories of individuals subject to exclusion: Japanese aliens, Japanese citizens, German aliens,

> Italian aliens, and, persons who, regardless of citizenship status, were suspected of being dangerous. As in Stimson's letter, chief priority was give to Japanese, regardless of citizenship status, and to German aliens. The memorandum, however, directed DeWitt to make exceptions for 'bona fide refugees' who were German aliens, and suggested that persons over seventy 'should not be disturbed except for good and sufficient reasons'.[62]

The military, previously hamstrung by Presidential Proclamations, was now given broad and unlimited authority to take whatever action was necessary to protect the nation's security. Roosevelt's EO 9066 would provide the foundation for the War Department to move with relative efficiency in eliminating the West Coast Japanese threat. To insure that DeWitt properly executed the War Department's objectives, Gullion would send his own assistant, Colonel Karl Bendetsen, to DeWitt's headquarters. Bendetsen, in a matter of months, would efficiently develop a network that would eliminate the West Coast threat through the forced evacuation of the West Coast Japanese.

CHAPTER V

WEST COAST EVACUATION OF THE JAPANESE

The forced evacuation of the Japanese from their West Coast homes and their exodus to relocation camps was guided by military necessity. This justification allowed for the unprecedented removal of American citizens from military areas without the existence of martial law. In his final report to the War Department on June 5, 1943 DeWitt explained the need for the mass evacuation.

> "The evacuation was impelled by military necessity. The security of the Pacific Coast continues to require the exclusion of Japanese from the area now prohibited to them and will so continue as long as that military necessity exits. The surprise attack at Pearl Harbor by the enemy crippled a major portion of the Pacific Fleet and exposed the West Coast to an attack which could not have been substantially impeded by defensive fleet oprations. More than 115,000 persons of Japanese ancestry resided along the coast and were significantly concentrated near many highly sensitive installations essential to the war effort. . . . The continued presence of a large, unassimilated, tightly knit racial group, bound to an enemy nation by strong ties of race, culture, custom, and religion along a frontier vulnerable to attack constituted a menace which had to be dealt with. Their loyalties were unknown and time was of the essence.[63]

As part of his final report, DeWitt further justified the evacuation of the Japanese:

> "In summary, the Commanding General was confronted with the Pearl Harbor experience which involved a positive enemy knowledge of our patrols, our naval dispositions, etc., on the morning of December 7th; with the fact that ships leaving West Coast ports were being intercepted regularly by enemy submarines; and with the fact that an enemy element was in a position to do great damage and substantially to aid the enemy nation. Time was of the essence.
>
> The Commanding General, charged as he was with the mission of providing for the defense of the West Coast, had to take into account these and other military considerations. He had no alternative but to conclude that the Japanese constituted a potentially dangerous element from the viewpoint of military security - that military necessity had become such that any measures other than those pursued along the Pacific Coast might have been 'too little and too late.'"[64]

To execute the evacuation program, DeWitt extablished the Wartime Civil Control Administration (WCCA) on March 11, 1942. The WCCA was a part of the Western Defense Command's (WDC) Civil Affairs Division and was under the control of the Assistant Chief of Staff for Civil Affairs, Colonel Karl L. Bendetsen. Bendeten, who had previously been assigned to the War Department as the Chief of Aliens Division for the PMG's office, was now a part of DeWitt's General Staff and the main coordinator for the evacuation of the Japanese. As the agent of DeWitt, Bendetsen was empowered to issue directives pertaining to the control and exclusion of civilians in the name of the Commanding General. As the Director of the WCCA, Bendetsen was also authorized to execute such directives.

Given specific instructions by Stimson, the WDC issue a series of Public Proclamations which established prohibited areas and zones within the WDC theater of operations. Public Proclamation No. 1, issued March 2, established Military Areas No. 1 and 2 in the Pacific Coast states of Washington, Oregon, California, and Arizona. Proclamation No. 2, issued March 16, established Military Areas No. 3-6 in the remaining Western states of Idaho, Montana, Nevada, and Utah. Within Military Areas No. 1 and 2 there were also designated prohibited zones A-2 through A-99 and in Military Areas 3 - 6, prohibited zones A-100 through A-1033 were established. The various prohibited areas which had been previously designated by the Attorney General also remained in effect.

Proclamations No. 1 and 2 designated prohibited areas and controlled the movement of aliens and persons of Japanese ancestry. Instructions within these Proclamations required that "Japanese, German or Italian aliens and any person of Japanese ancestry" who resided in the WDC area had to complete "Change of Residence Notice" cards within five days prior

to any change of residence Additional instructions also indicated that "Such persons or classes of persons as the situation may require will by subsequent proclamation be excluded" from the designated areas.

Proclamation No 3, issued on March 24, established curfew and travel restrictions for all aliens and all persons of Japanese ancestry. This Proclamation also prohibited the posssession, use, or operation of certain contraband items by persons of Japanese ancestry within the Military Areas 1-6. This prohibition on contraband items only applied to the Japanese and no other enemy alien nationality was afffected.

Violation of such curfew or possession of contraband items were punishable under Public Law 503, a law that was immediately enacted because there was no existing law in effect to enforce evacuation from a military designated area. Proclamation No. 3 also notified the public of possible exemption from exclusion and curfew, subject to WDC approval. The exemption provision of Proclamation No. 3 stated:

> "By subsequent proclamation or order there will be prescribed those classes of persons who will be entitled to apply for exemptions from exclusion orders herafter to be issued. Persons granted such exemption will likewise and at the same time also be exempted from the operation of the curfew regulations of this proclamation."[65]

The exemption provision only benefited the non-Japanese alien. Stimson, in his "Outline Memorandum" to DeWitt on February 20, 1942 made this clear in his instructions. The key paragraphs of Stimson's memorandum also demonstrate Stimson's own bias towards the Japanese.

> "OUTLINE MEMORANDUM February 20, 1942
>
> . . . For the purpose of this instructions, persons resident in the Western Defense Command will be classified as follows:
>
> Class 1 Japanese Aliens
> Class 2 American citizens of Japanese ancestry

Class 3 German Aliens
Class 4 Italian Aliens

Class 5 Any persons, whether citizens or aliens, who are suspect and for any reason by you or your responsible subordinates, of being actually or potentially dangerous either as saboteurs, espionage agents, fifth-columnists or subversive persons.

Class 6 All other persons who are, or who may be within the Western Defense Command.

. . .

10. . . . In the most critical areas you may consider it necessary to bring about an almost immediate evacuation of certain classes, particularly classes 1 and 2. . . .

11. In providing for the exclusion of classes of persons and individuals from military areas prescribed by you, you will make appropriate exception in favor of the aged, infirm, and the sick. Persons above the age of 70 years should not be disturbed unless for sufficient reason, you consider them suspect. Unless you find that the national safety will not so permit, bonafide refugees in the Class 3 should be afforded special consideration either through the development of suitable means to acquire permits to return to prohibited zones or to remain therein.[66]

Proclamation No. 5, issued March 30, 1942 effectively implemented Stimson's instructions and Italian and German aliens were exempted from the curfew and exclusion provisions of the previously issued proclamations.

With prohibited areas established by Proclamations No. 1 and 2, the WDC issued 108 Civilian Exclusion Orders from March 24 - July 22, 1942. These exclusion orders directed that all Japanese personnel residing in prohibited areas were to have a "responsible family member" report to the WCCA, Civilian Control Stations for evacuation processing. The Civilian Control Teams that operated the stations were representatives from various government agencies to assist the evacuee with items such as private vehicle disposition, land and property disposition, medical assistance, and social welfare service. Within a week after processing through these stations, entire Japanese households were evacuated to one of seventeen assembly and reception centers. These assembly centers

were to serve as temporary holding areas until the more permanent relocation centers could be constructed.

Families were moved to the assembly centers by public transportation, arranged by the WDC, or by private conveyance under convoy and guard. These privately-owned vehicles were subsequently sold or disposed of once the familiy arrived at the Centers. Only a limited amount of personal effects could be taken and large household items had to be disposed of or stored, prior to the evacuee departing for the centers. Instructions to the evacuees as taken from the Civilian Exclusion Orders specifically stated the following:

> "Evacuees must carry with them on departure for the Assembly Center, the following property:
>
> (a) Bedding and linens (no mattress) for each member of the family;
> (b) Toilet articles for each member of the family;
> (c) Extra clothing for each member of the family;
> (d) Sufficient knives, forks, spoons, plates, bowls, and cups for each member of the family;
> (e) Essential personal effects for each member of the family.
>
> All items carried will be securely packaged, tied and plainly marked with the name of the owner and numbered in accordance with instructions obtained at the Civil Control Station. The size and number of packages is limited to that which can be carried by the individual or family group."[67]

The large number of Japanese evacuees and the need for immediate evacuation required that the WDC look at existing facilities within proximity to the excluded areas to house the evacuees. The WDC established four basic requirements for a suitable location to be used as an assembly center. First, locations had to have adaptable pre-existing facilities suitable for the establishment of shelter and community services. Second, power, light, and water had to be immediately available.

Third, the distance from the assemblly centers to the main evacuee population area had to be short with good interconnecting road and rail networks. Finally, some area within the enclosed Centers had to be available to the population for recreation purposes. The types of areas which proved suitable were generally racetrack complexes or large fairgrounds although other areas were selected. Table 1 shows the WDC Assembly Centers with population and occupancy data.

TABLE 1

POPULATION AND OCCUPANCY DATA BY ASSEMBLY CENTERS

ASSEMBLY CENTER	STATE	PEAK POPULATION	DATE OF PEAK POPULATION	DAYS OCCUPIED	OCCUPANCY DATES FROM	TO
Fresno	CA	5,120	09-04-42	178	05-06-42	10-30-42
[1]Manzanar	CA	9,666	05-31-42	72	03-21-42	05-31-42
Marysville	CA	2,451	06-02-42	53	05-08-42	06-29-42
Mayer	AZ	245	05-25-42	27	05-07-42	06-02-42
Merced	CA	4,508	06-03-42	133	05-06-42	09-15-42
Pinedale	CA	4,792	06-29-42	78	05-07-42	07-23-42
Pomona	CA	5,434	07-20-42	110	05-07-42	08-24-42
Portland	OR	3,676	06-06-42	132	05-02-42	09-10-42
Puyallup	WA	7,390	05-25-42	137	04-28-42	09-12-42
Sacramento	CA	4,739	05-30-42	52	05-06-42	06-26-42
Salinas	CA	3,594	06-23-42	69	04-27-42	07-04-42
Santa Anita	CA	18,719	08-23-42	215	03-27-42	10-27-42
Stockton	CA	4,271	05-21-42	161	05-10-42	10-17-42
Tanforan	CA	7,816	07-25-42	169	04-28-42	10-13-42
Tulare	CA	4,978	08-11-42	138	04-20-42	09-04-42
Turlock	CA	3,662	06-02-42	105	04-30-42	08-12-42

SOURCE: WDC Final Report, Table 29

[1]Manzanar was tranferred to the WRA on June 1, 1942. It was used as a Relocation Center from that date forward. Above statistics does not include the 18,028 direct transfers to the WRA Centers of Manzanar, Tule Lake, Colorado River, and Gila River. Colorado River was also to be a reception center but never operated under WCCA control.

Where living facilities did not already exist, barracks-type buildings were constructed by the engineer corps. Common facilities such as infirmaries, hospitals, canteens, laundries, post offices, and mess halls were also built. Family areas were suited only for living and sleeping needs. Showers, latrines, and wash facilities were located in the center of each barracks complex. As only limited items were carried by the evacuees the Army provided steel cots, mattresses, blankets, and pillows. Meals were cooked and served in central mess halls.

While the major subsistence needs were provided, other personal necessities were not provided. Clothing was not made an item of regular issue but was made available upon application. Individual monetary allowances based upon gender, age, or family size were granted for clothing purchases. A monetary allowance in script or coupons was also provided for the purchase of other necessities.[68]

Assembly center control and security operations remained under the exclusive jurisdiction of the WDC with actual administration of the centers done through Bendetsen, the WCCA Director and the non-Japanese assembly center manager. The WCCA plan was that the Japanese evacuees were to perform all the essential operations of the assembly center. Essential operations included housing, feeding, sanitation, public health, maintenance and recreation. For these services the Japanese evacuee was compensated based upon three division of labor classifications: unskilled, skilled, and professional.[69] Additional services not originally contemplated but which evolved were barbershops, beauty shops, shoe repair shope, clothing stores, canteens, and post offices.

The greatest shortfall was in the area of schooling and religion. No provision had been made to construct schools or churches so within the centers unoccupied barracks, recreation halls, grandstands, and other

permanent structures were used for school and religious purposes. Craftsmen among the evacuees constructed such items as benches, chairs, tables, and blackboards. Textbooks were provided by the state or county school boards and materials were donated from outside private sources. All teachers were taken from the evacuee population.

Ministers of the Christian and Buddhist faiths were also made available from the evacuee population. Services were restricted to English unless it prevented the congregation from understanding the service. The Shinto religion had limitations placed on it because of its perceived militaristic orientation.

By the end of November 1942 the Relocation Camps had been constructed and were ready to receive the evacuees from the Assembly Centers. The transfer of the evacuees to the Relocation Camps would be the final action, of any significance, that the WDC would become involved. Security for the Camps would still be provided by the WDC but the responsiblity for the general welfare of the Japanese evacuees would now rest with a new civilian agency, the Wartime Relocation Authority (WRA), created by EO 9102 on March 18, 1942 .

The assembly centers had only been in operation from March to November 1942. Despite this short period the total cost of the evacuation effort, to include construction and operations of the assembly centers, amounted to $88, 679, 717.[70]

In the short period of several months, the lives of over 112,000 Japanese evacuees, alien and American citizen, would never be the same. From their homes to the assembly centers the Japanese evacuee would now move to the more permanent relocation centers. Except for a few who would find work inland and would eventually resettle, the majority of the

evacuees, especially the older Issei, would spend the remaining years of the war in their new homes, the WRA relocation centers.

CHAPTER VI

JAPANESE RELOCATION AND RESETTLEMENT

The War Department wanted mass evacuation but did not want the responsibility for the resettlement of the Japanese. The War Relocation Authority (WRA) was created by EO 9102 on March 18, 1942 to perform this function.

Of the ten WRA relocation centers, eight were spread to the interior of the United States with two, Manzanar and Tule Lake, remaining within California. Manzanar and Colorado River, operated initially as Army reception centers, were the first to be transferred to the WRA in early June 1942. Table 2 reflects the WRA relocation centers with data on population and occupancy.

TABLE 2

WRA RELOCATION CENTERS BY STATE AND POPULATION

CENTER	STATE	PEAK POPULATION	DATE OF PEAK POPULATION	FIRST ARRIVAL	DAYS IN OPERATION	LAST DEPARTURE
Central Utah	UT	8,130	3-17-43	9-11-42	1,147	10-31-45
Colorado River	AZ	17,814	9-02-42	5-08-42	1,301	11-28-45
Gila River	AZ	13,348	12-30-42	7-20-42	1,210	11-10-45
Granada	CO	7,318	2-01-43	8-27-42	1,146	10-15-45
Heart Mountain	WY	10,767	1-01-43	8-12-42	1,187	11-10-45
Jerome	AR	8,497	2-11-43	10-06-42	634	6-30-44
Manzanar	CA	10,046	9-22-43	6-01-42	1,270	11-21-45
Minidoka	ID	9,397	3-01-43	8-12-42	1,176	10-28-45
Rohwer	AR	8,475	3-11-43	9-18-42	1,170	11-30-45
Tule Lake	CA	18,789	12-25-44	5-27-42	1,394	3-20-46

SOURCE: The Evacuated People: A Quantitative Description

The first Director of the WRA was Dr. Milton S. Eisenhower, brother of General Dwight Eisenhower. Dr. Eisenhower was charged by the President to do the following:

> "authorized and directed to formulate and effectuate a program for the removal, from the areas designated from time to time by the Secretary of War or appropriate Military Commander under the authority of Executive Order 9066 of February 19, 1942, of all the persons or classes of persons designated under such Executive Order, and for their relocation, maintenance, and supervision."[71]

Eisenhower's resettlement plan for the Japanese evacuees was threefold: (1) provide financial aid for Japanese required to move out of the military areas but unable to do so because of a lack of funds; (2) establish a large number of small camps scattered through the United States west of the Mississippi River where the evacuees could live but would work on farms in the area; and (3) establish a group of waystations, around 50 that would hold 1,000 to 1500 evacuees to serve as dispersion points from which evacuees could relocate to jobs in urban areas or on farms.

The focus of the WRA was to have the relocation centers take on an atmosphere, as much as possible, of small American communities. Problems with this vision were evident since community living, eating, bathing, cooking, and use of common toilet facilities could not approximate normal living. Restricted movement, barbed wire enclosures, and armed guards were not normal community environments either.

The WRA soon realized that under these conditions that (a) loyalty would not fluorish in such an atmosphere of restriction and discriminatory segregation; (b) that such a wide and enforced deviation from normal cultural and living patterns might very well have lasting and unfavorable effects upon individuals, particularly children and young people, who made

up a large part of the population; (c) that there was an obligation on the part of the WRA both to the evacuees and the U.S. to restore all loyal citizens and law-abiding aliens to normal useful American life with all possible speed; (d) that confinement in relocation centers fostered suspician of evacuee loyalties and added to evacuee discouragement; and (e) the WRA did not want to be responsible for fostering a new set of reservations in the U.S. akin to Indian reservations.[72]

These concerns were indicative of Dr. Eisenhower's own personal feelings towards the evacuation of the Japanese from the West Coast. In a communication to his friend, Agricultural Secretary Claude Wickard, Eisenhower wrote in April 1942 that "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."[73]

The operations of the relocation centers, like the assembly centers, were designed to be self-sufficient with the camp residents providing the necessary labor. The idea of a work corps, as contemplated by the EO 9102, was considered. In May 1942 the WRA conceived of a partnership enterprise between the WRA and the work corps organizations from each of the centers. The WRA would provide the basic living essentials while the work corps would strive to accomplish three objectives: (1) to provide for the living requirements of the entire evacuee committee to the fullest extent possible; (2) to develop land in the vicinity of the centers and improve its productive value; and (3) to produce a supply of agricultural and manufactured products surplus to the needs of the centers for sale on the open market. Profits generated from the endeavor would be parceled out to the work corps members based upon their labor status. Unskilled

labors would receive $12.00 per month; skilled laborers would get $16.00 a month, and highly skilled and professional personnel would get $19.00 a month. The idea of the work corps was dropped by the WRA because of perceived accounting difficulties in the productive capacities of the different centers and because of possible objections from the private sectors.

A new policy was adopted by the WRA at its August 1942 conference with the following key provisions: (a) the $12.00, $16.00, $19.00 cash structure would become the basic wage structure for work performed by the center residents; (b) an additional cash allowance of $2.00-$3.75 per month clothing allowance would be authorized for each employed resident and each dependent; (c) all residents assigned to jobs at the centers should be entered into the job corps; (d) an unemployment compensation of $1.50-$4.75 per month would be provided to unemployed residents unable to work through no fault of their own, and their dependents; (e) that evacuees working in privately sponsored projects at prevailing wages should only receive the standard center pay rate with the balance paid by the employer deposited into a trust fund to be administered for the benefit of the whole community.

By December 15, 1942 the work corps concept was terminated altogether and another WRA policy was issued on January 26, 1943. All industries, except those operated privately under previous commitments, would be operated by the WRA. The WRA eventually sponsored a model warship at Gila River and a silk-screen poster shop at the Granada Center. Products from these efforts assisted the Navy's training program.

The majority of enterprises were devoted to center self-sufficiency. Besides the large agricultural endeavors for the centers, garment

factories were operated at Manazanar, Heart Mountain, and Minidoka; cabinet shops at Tule Lake, Manzanar, and Heart Mountain; sawmills at Heart Mountain and Jerome; a mattress factory at Manzanar; and a bakery at Tule Lake. All centers had carpentry facilities, furniture repair shops, and food processing plants for Japanese-type foods.

Consumer cooperatives were also authorized to provide for other services such as shoe repair, laundry cleaning and pressing, watch repair, and similar endeavors. A community-wide association operated by the camp residents decided and provided for these needs. It was also responsible for setting the standards of the organization, membership, merchandising, pricing, and dividend distribution. These enterprises became so successful that the WRA revised its policy to recoup some of its funds. Each association had to reimburse the WRA, retroactively, for all salaries and allowances paid to the residents by the WRA; for rent of the WRA-purchased equipement, and rent for building space. All centers, except Heart Mountain, eventually established a trust association. Approximately 270 different enterprises emerged within the centers. These enterprises provided work opportunities for more than 7,000 residents and did a gross business of $21, 890, 167.

In the area of community government the WRA policy of May 29, 1942 provided for a temporary council of elected representatives from each housing block. Elected officers could only be American citizens and residents sixteen years, later changed to eighteen years, or older could vote. The Issei could not be officers but could be appointed to other positions. The council's purpose were: (a) to serve as the communication link between the WRA admnistration and the camp residents; and (b) to adopt and enforce administration regulations and ordinances, of a

non-felony nature, for the benefit of the community. By the end of 1942 eight of the ten centers had elected councils. Manzanar was the only center that never elected a council but chose instead to have a block manager organization to serve the community. A typical block encompassed twelve residential barracks around a mess hall facility, a recreation facility, and a bath and laundry building. Approximately 250 people were involved in a block configuration.

Block managers were appointed by the WRA administration, except for Manzanar, where they were elected by the residents. Block managers were paid $16.00 a month to perform the following duties: (a) to assure the everyday needs of the block residents; (b) to supervise the general maintenace of the buildings and grounds; and (c) to inform the residents of any WRA announcements or regulations.

As in the assembly centers, one of the WRA's most serious problems was education. Over 30,000 students were enrolled in the early months of center operation but no facilities or equipment were provided specifically for education. For the first few years classes were generally held in barracks or recreation halls. Desks, tables, chairs, and blackboards were constructed by the camp residents. Teacher recruitment and training were also significant problems. Residents with two years or more of college were used as assistant teachers but because of the shortage, many had to assume a full teacher load. Except for Tule Lake, all the schools were

accredited by the state authorities. Extra-curricular activites were formed, as needed, and PTA organizations also developed.

While the Japanese evacuees were settling into their new environment, the WRA focus was still on relocation and resettlement

inland. The WRA envisioned that the best approach to accomplish this objective was a work release program.

Dr. Eisenhower began laying the groundwork for the relocation program even while the evacuees were still in the assembly centers under military control. Eisenhower convened a meeting in Salt Lake City on April 7, 1942 with officials from the Western states to discuss evacuee resettlement. The conference, generally referred to as the Governor's Conference, was attended by governors and attorney generals or their representatives, State extension service directors, State agricultural war board chairmen, and State Farm Administration directors from ten Western states. In seeking cooperation and support, Dr. Eisenhower explained the evacuation program and the situation of the evacuees. His hope was to gain assistance from the State representatives to return the evacuees back to normal life.

The governors and attorneys general were unsympathetic to Eisenhower's pleas. They were unwilling to accept the evacuated Japanese into their communities because of the perceived security threat that the Japanese presented. The Director of the Wartime Civilian Control Administration (WCCA), Colonel Karl Bendetsen, explained that many were American citizens who were free to come and go outside the designated prohibited areas. The state officials were unconvinced, however, and could only envision the situation where evacuees would be confined in concentration camps at night with workers farmed out during the day under armed guard.

The hostility of the state officials made Eisenhower realize that the initial WRA objective of total resettlement for all the evauees might now

be possible. A more permanent camp life for the evacuee would now have to be considerded.

By mid-April 1942, the Western states were requesting evacuee labor to help with agricultural work, especially from the sugar beet industry. State officials who had opposed evacuee labor during the Governor's Conference were now being forced by their agricultural elements to request camp labor.

Since most of the relocation centers would be located within the WDC area and evacuees were still in assembly centers, the WRA and WCCA had to reach ageement on the seasonal work release for the evacuee. The agreement provided for temporary release and made the States responsible for the safety of released workers. Employers would provide round-trip transportation to and from the assembly or relocation centers and would also pay prevailing wages. The U.S. Employment Service in the county would also guarantee that adequate housing would be provided to the worker.

Evacuees were reluctant to leave the assembly centers because of fear and uncertainty regarding their acceptance from the public. By May 1942 only a dozen evacuees had left the Portland Assembly Center to work in Oregon. Favorable reports from the workers, however, increased the number of evacuees volunteering for seasonal work and by June 1942 some 1500 evacuees had volunteered for the work release program.

By September 1942 the need for labor in the Western states had grown tremendously. The sugar beet companies from the intermountain states sent their representatives to the WRA office in San Francisco to reach a long term labor agreement for the fall harvest. A general work contract was negotiated and the WRA began laying the groundwork in the

assembly and relocation centers for the large recruitment effort. To assist evacuees in the seasonal work program, the WRA established assistance offices in key agricultural centers such as Boise and Idaho Falls, Idaho; Helena and Havre, Montana; and in Salt Lake City, Utah. By October 1942 some 10,000 evacuees were scattered throughout the intermountain area to help with the harvest.

These temporary releases from assembly centers for seasonal work, early in 1942, and later from the relocation centers accomplished only a few objectives of the WRA. Work releases allowed the evacuees the opportunity to leave the unhealthy living environment of the centers; to earn additional wages; and to become familiar with communities outside the centers. These temporary releases did not accomplish the ultimate goal of the WRA, however, that of resettlement.

After a short tenure as the Director, Dr. Eisenhower resigned on June 17, 1942. Fortunately for the evacuees, he was replaced by another capable and concerned individual, Mr. Dillon S. Myer. Meyer recounts that after visiting two assembly centers in June and July and observing the unnatural community environment, he "authorized immediate work on plans for a relocation program." Myer also believed that the WRA "would have something akin to Indian reservations to deal with if steps were not taken soon to move the Japanese Americans back into the mainstream of American life."[74]

By July 20, 1942 the WRA had issued its first policy statement concerning relocation. The policy was overly cautious as it provided indefinite leave only to American-born Nisei who had never studied in Japan and who had a definite offer of employment. This initial attempt was unsuccessful because job offers were cancelled before the evacuee's

application was approved. In the case of assembly center applications, a permit had to be obtained from the WDC and these were usually denied. The leave program was more successful for student departures where some 250 educational leaves were approved prior to September 1942.

Realizing that the initial leave policy was too restrictive to accomplish its resettlement objective, a more comprehensive leave policy became effective on October 1, 1942. By this time all evacuees were in relocation centers and under WRA control. Three types of leave were identified by the WRA: (a) Short term, granted by the project director after investigation; (b) Work-group or seasonal leave, granted by the project director after a record check by the intelligence services; and (c) Indefinite leave, granted by the national director. Four specific requirements had to be met for approval for indefinite leave: (a) the applicant had to have a definite job offer or some other means of support; (b) there must be no evidence either in the applicant's record at the center or in the files of the intelligence agencies indicating that the applicant would endanger national security; (c) there had to be reasonable evidence that the applicant's presence would be acceptable to where he planned to live; (d) the applicant had to keep the WRA informed of any change in address.[75]

The WRA was aware that resettlement would be unsuccessful without acceptance of the evacuees by the local communities. It was obvious from the reaction at the April Governor's Conference that state officials presented a major obstacle to evacuee resettlement. To overcome this one of the first duties of the WRA field offices, which had been established to aid the evacuees, was to establish local resettlement committees in areas where large groups of evacuees were expected to settle.

These resettlement committees were generally led by the local church personnel, the YMCA, YWCA, or other sympathetic organizations or individuals. By the end of 1943, twenty-six local resettlement committees had been established. These Committees did much in creating favorable public sentiment and in helping the evacuees settle into their new environment. This was especially true of the younger and inexperienced Nisei individuals who had left their older alien parents in the relocation centers. As the Nisei evacuees became settled more parents left the centers to join their children and this added to family stability.

While there would be a steady stream of final departures from the relocation centers during the summer months of 1943 and 1944, the WRA objective for the complete resettlement of all the evacuees would not be accomplished. By the first part of 1945 there would still be 79,770 personnel, primarily Issei, still remaining in the relocation centers.

PROBLEMS IN THE RELOCATION CENTERS

The operations of the WRA were not without problems. For those evacuess that remained in the relocation centers, the social and psychological stress of evacuation and internment were taking its toll. When the WRA opened its first four relocation centers - Manzanar, Poston, Tule Lake, and Gila River - its policies regarding the evacuees were tentative and incomplete. The conditions of the centers were unclean, unfurnished, desolate, and isolated. These conditons caused apathy and discouragement especially among the younger Nisei who felt rejected and discouraged. Disagreements between pro-Japanese elements; primarily

the American-born, Japanese-educated Kibei; the American-born Nisei; and the Issei immigrant added to the friction of camp life.

Incidents at Poston and Manzanar in November and December 1942 were caused by a mixture of camp and social problems. The November 1942 incident at Poston involved the beating of a Kibei who was suspected of being an informer for the WRA administration. The FBI investigated the case and two individuals, popular members within the camp, were jailed. In response to the jailing, a strike occurred and the community council and block managers resigned. Eventually the jailed individuals were released and this ended the incident. Myer believed the incident resulted mainly from the emotional tensions and the evacuees desire to strike out against their perceived oppressors.

Two weeks later on December 6, a similar incident at Manzanar occurred. A leader of the Japanese American Citizens League (JACL), thought to be a WRA informer, was beaten. A leader of the kitchen workers' union, a popular evacuee, was arrested and placed in a local jail. At a mass meeting, the project director negotiated with a committee of five, thought to represent the leadership of the camp, and agreed that if the crowd dispersed the arrested suspect would be brought back to camp to stand trial by the camp administration. One dissident evacuee, Joe Kurihari, misrepresented the facts and got the crowd to reassemble. Feeling betrayed, the camp director called in the military to disperse the crowd. Tear gas was used and in the commotion an evacuee youth drove a camp car towards one of the army machine gun positions. Shots were fired into the crowd and an innocent youth of 17 was killed instantly. Ten others were wounded. One of the wounded, age 21, died in the hospital two days later.

As a result of the incident, some 65 pro-administration evacuees were removed for their safety and 16 alleged troublemakers were jailed in a nearby town. The dissidents were subsequently moved to an abandoned Civilian Conservation Corps camp at Moab, Utah. A temporary isolation center was established at Leupp, Arizona in April 1943 and the dissidents were moved from Moab. As a result of the incident, Myer sent a confidential notice in February 1943 to all project directors. The notice provided for incorrigible troublemakers to be sent to the Leupp facility after approval by the National Director.[76]

These incidents, and later ones at Tule Lake, would bring criticism to the WRA from the War Department, Congress, and the public. It would force the WRA to adopt a formal segregation program to separate the more pro-Japanese and dissident elements from the general camp population.

SEGREGATION OF EVACUEES

The issue of segregating dissident or disloyal elements of the camp population was considered as early as July 1942 as part of the work release program. The WRA made arrangements with the FBI, which had links with military intelligence, to do records checks of leave applicants. Naval Intelligence had also detailed Lieutenant Commander K. D. Ringle to the WRA to assist in the relocation effort.

Ringle, during the May-June 1942 period, submitted a series of memoranda on "The Japanese Question in the United States."[77] Ringle's views of the overall situation regarding the Japanese was in direct contrast to that of DeWitt. His observations would also form the basis for the WRA segregation program. In his report Ringle said of the Japanese:

"Japanese question had reversed itself within the preceeding ten years. The alien population was growing older and dieing off. The primary present and future problem was that of dealing with the American-born citizen of Japanese ancestry who it is considered that at least 75% are loyal to the United States The ratio of these American citizens of Japanese ancestry to alien-born Japanese is at present three to one, and rapidly increasing.

Of the Japanese-born alien residents. the large majority are at least passively loyal to the United States. That is, they would knowingly do nothing whatever to the injury of the United States, but at the same time would not do anything to the injury of Japan. Most of the remainder would not engage in active sabotage or insurrection, but might well do surreptitious observation work for Japanese interests if given a convenient opportunity.

However, there are among the Japanese, both alien and citizen, certain individuals, either deliberately placed by the Japanese Government or actuated by a fanatical loyalty to that country, who would act as saboteurs or agents. This number is estimated to be less that three percent of the total, or about 3,500 in the entire United States.

Of the persons mentioned above, the most dangerous are either already in custodial detention or are members of such organizations as the Black Dragon Society, the Kaigun Kyokai (Navy League), or the Heimush Kai (Military Service Men's League), or affiliated groups who have not yet been apprehended. The membership of these groups is already fairly well known to the Navy Intelligence and the Federal Bureau of Investigation and should immediately be placed in custodial detention, irrespective of whether they are aliens or citizens.

As a basic policy tending toward the permanent solution of this problem, the American Citizens of Japanese ancestry should be officially encourged in their efforts toward loyalty and acceptance as bona fide citizens. They [should] be accorded a place in the national war effort through such agencies as the Red Cross, USO, civilian defense, and even such activities as ship and aircraft building or other defense production, even though subject to greater investigative checks as to background and loyalty, etc., than caucasian Americans."[78]

As far as the method for segregating the population he wrote in his "Procedure for Segregation" the following:

"Publish openly and genuinely the fact that any person desiring to announce himself as a loyal citizen of Japan may do so without fear of prejudice, irrespective of whether or not he holds American citizenship. Solemnly assure such people upon the word of the Government of the United States that they will be accorded the legal status of internees; that if they so desire and opportunity presents, they will be exchanged during the period of hostilities for american citizens held by the Japanese Government. Further assure them in writing, if desirable, that as soon as possible after the conclusion of hostilities they will, unless sooner exchanged, be repatriated to Japan by the United States Government. I

> believe it will be found that there are a number of people, both alien and citizen, who, if given assurance that such an admission will not result in bodily harm, will frankly state their desire to be considered Japanese nationals.
>
> By a process of registration within assembly and relocation centers, determine the identity of parents, spouses and dependents, of all American citizens of Japanese ancestry who have spent three years or more in Japan since the age of 13. If it seems desirable or necessary, these lists may be checked against the records of the Federal investigative services including the records kept by the Bureau of Immigration and Naturalization. This second category will include those citizens of Japanese ancestry who, in all probability, may be considered as potentially dangerous. Parents or guardians of such persons are included for the reason that it was these parents or guardians who sent the children to Japan to be so educated and so indoctrinated that they are to all intentions and purposes citizens of Japan."[79]

Commander Ringle went on to recommend that review boards be established at each center and that families not be divided except at their own wish. The classification of the male head of the family would also be the primary deciding factor for the rest of the family and children below 17 years would take on the classification of the parent. Segregants would also be separated from the main evacuee population, if facilities allowed, until final removal to the Department of Justice internment camps.[80]

Ringle concluded his recommendations by emphasizing the importance of the future aspects concerning the Japanese and its relationship to the evacuation. His thoughts paralleled the view of Myer, the WRA National Director:

> "As a summary to the foregoing, there are two points which the writer believes should never be forgotten. The first is a racial one. Because these people have Oriental faces, it is natural to look for and probably stress the *differences* between them and caucasian Americans. This I believe is wrong; the points of *similiarity* should be stressed. If this point of view is taken, I believe the intelligent observer will be amazed at how little different basically these people are from their American contemporaries.
>
> The second point is the importance of the present time, the present few years, in dealing with them. As has been pointed out, the line between the generations is more clearly marked and defined than between any other groups. The Issei, the parents, average over 50 years of age,the Nisei in their early twenties. Therefore, within the present decade, the decade from 1940-1950, there will inevitably take place a complete and sharp

> shifting of leadership and power - political, economic, cultural, religious, and social - from the older alien generation to the younger American born and reared generation. Whether the younger and succeeding generations are truly American in thought, word, deed and sentiment will depend on the way in which they are treated now, and on how they are helped to meet the test of this war. In other words, I believe that whether or not we have a 'Japanese problem' in the United States for the next hundred and fifty years will be decided by the attitude of the United States as a whole to the Japanese Americans before 1950.[81]

In December 1942, General DeWitt had forwarded his own proposal for a segregation program to the WRA. DeWitt's proposal called for an unannounced raid whereby all suspected segregants would be picked up and immediately transferred to the Colorado River center in Arizona. The plan provided for "suitable security measures in order to insure against probable rioting and consequent bloodshed" and that on a designated day (1) each center would be placed under complete military control; (2) all incoming and outgoing communication at the projects except for messages essential to the segregation operations would be stopped; (3) all leaves, furloughs, and visiting privileges would be suspended, and project activities such as agricultural activities carried on beyond the center limits proper would be called to a halt.[82] The WRA rejected DeWitt's proposal as being too "brazen and cold-blooded". The WRA adopted instead the recommendations of Ringle.

The WRA segregation program centered upon the loyalty determination of the Japanese, alien and American-born, to the United States. Evacuess determined to be disloyal, through a process of registration, would be segregated from the general population. The WRA registration program would not only accomplish the WRA's segregation objective but because of the way it was administered, it would also add to the existing confusion and concern among the evacuee population

REGISTRATION AND LOYALTY

A registration program for determining the loyalty of camp residents was already under consideration by the WRA when the President announced on January 28, 1943 that an all volunteer Japanese American military unit would be formed.[83] The Senate Committee on Military Affairs had held hearings in January 1943 and had made the following recommendations: (1) the draft should apply to all Nisei the same as other citizens; (2) all loyal, able-bodied Japanese should be released for work, at the earliest possible time, in areas where they would be accepted and considered safe by the Army; and (3) those persons who answered "no" to the loyalty question during registration, and actual disloyal persons should be placed in internment camps.

The decision for an all volunteer Japanese unit was assisted by proddings from the WRA, the Japanese American Citizens League (JACL), and a contingent of military officers from Hawaii.[84] The decision was also supported by the War Department as a means to prove the loyalty of the Japanese American. Before induction could occur, however, the Army had to register all the eligible male Nisei in the camps. Registration was required in anticipation that Selective Service, denied to the Nisei at the start of the war, would again be opened since after Pearl Harbor all Japanese, including the American-born Nisei, were classified by the Selective Service as 4-C, aliens not eligible for military service.

Since the Army had a requirement for military registration the WRA decided to conduct its own registration for segregation and leave clearance purposes jointly with the Army. The Army's questionnaire

required a response to two particular questions dealing with loyalty to the United States. The loyalty questions would serve two purposes: (1) It would determine the loyalty of the evacuee whether he volunteered for the Army, or not; and (2) depending upon the number of positive responses to the loyalty questions a decision to reopen the Selective Service to all Nisei could be made. The wording of the two questions, Numbers 27 and 28, required a "yes" or "no" response:

> "No.27: Are you willing to serve in the armed forces of the United States on combat duty, wherever ordered?
>
> No. 28: Will you swear unqualified allegiance to the United States of America and faithfully defend the United States from any and all attack by foreign or domestic forces, and foreswear any form of allegiance or obedience to the Japanese Emperor, or any other foreign government, power, or organization?"[85]

The same Army questionnaire was used by the WRA but was given to all female Nisei and to all Issei men and women. The questionnaire was merely retitled: "Application for Leave Clearance".

The combined WRA-Army registration effort was met with skepticism, suspician, and distrust. There was much soul-searching and discussion among the evacuees and within family units regarding the implications and purposes of the registration effort. The compulsory nature of the WRA registration also concerned the Issei. The title of the WRA form implied a forced evacuation from camps which the Issei had found as a neutral haven, unlike the West Coast environment after Pearl Harbor. The fact that relocation centers closed down all activities for several days signified the importance of the registration effort. This futher pressured the evacuees to make a correct decision, one that could invariably affect their future for many years to come.

The Army officers were prepared for any skepticism from the American-born Nisei. The Army team addressed the purpose of the Army's efforts in a prepared War Department speech:

> "We are here on a mission . . . The effort is not a campaign or a drive . . . Its fundamental purpose is to put your situation on a plane which is consistent with the dignity of American citizenship.
>
> You may object that this-your life here-is not freedom. The circumstatnces were not of your own choosing . . . The only answer which needs to be made to such an objection is that if there were not many millions of Americans who agree with your point of view we would not be here and this statement would not be made.
>
> The present undertaking is of itself an acknowledgement that the best solution has not been found for you during the present war emergency in your relation to the United States, which is the country of your birth and of your residence.
>
> Your government would not take these steps unless it intended to go further in restoring you to a normal place in the life of the country, with the privileges and obligations of other American citizens."[87]

Questions, not easily answered, were posed to the Army registration team. Comments from one group of Nisei evacuees from the Heart Mountain, Wyoming center was representative of the general feelings of all Nisei evacuees. The spokesman for this group said:

> "The minds of many of us are still shrouded in doubt and confusion as to the true motives of our government when they invite our voluntary enlistment at the present time. It has not been explained why some American citizens, who patriotically volunteered at the beginning of the war, were rejected by the Army. Furthermore, our government has permitted damaging propoganda to continue against us. Also, she has failed to reinstate us in the eyes of the American public. We are placed on the spot, and our course of action is in the balance scale of justice; for our government's honest interpretation of our stand will mean absolute vindication and admission of the wrong committed. On the other hand, if interpreted otherwise by misrepresentations and misunderstandings, it will amount to renewed condemnation of this group.
>
> Although we have yellow skins, we too are American. We have an American upbringing, therefore we believe in fair play. Our firm conviction is that we would be useless Americans if we did not assert our constitutional rights now; for, unless our status of citizens is cleared and we are really fighting for the perpetuation of democracy, especially when

> our fathers, mothers, and families are in concentration camps, even though they are not charged with any crime.
>
> We believe that our nation's good faith is to be found in whether it moves to restore full privileges at the earliest opportunity."[87]

While the Nisei generation was struggling with the loyalty question and volunteering for the military, the Issei were no less concerned for their fate. The wording of Question 28 demonstrated the ignorance of the WRA in using this question to determine Issei loyalty. While it was applicable to the Nisei citizen the question was totally inappropriate to the Issei immigrant. A positive response on the question meant the Issei respondant was renouncing his Japanese citizenship and any protection with this status. The Issei, denied the privilege of naturalization, did not have the protection of the United States as its citizens and renouncing Japan would have left them without a country in a stateless condition.

The project director at Manzanar, after conferring with the national office, changed the wording of Question 28 to read "Are you sympathetic to the United States and do you agree faithfully to defend the United States from any and all attack by foreign or domestic forces?" The wording issue surfaced at the other centers and the WRA issued an authorized change that read: "Will you swear to abide by the laws of the United States and to take no action which would in any way interfere with the war effort of the United States?" These versions resulted in more affirmative reponses but caused confusion and suspicion in an already confused environment.

The reactions to the registration effort brought mixed results at the different relocation centers. Statistically, out of a total of a little over 20,000 Nisei of military age in all the centers some 5,000 gave a "no", a qualified response, or refused to answer the question. Of the young women citizens about 2,500 or 13 percent answered negatively or did not

respond. Of the older Issei men and women about 1,000 or 6 percent answered negatively. Collectively, this seemingly represented some 8,500 who responded other than "yes" to the "loyalty" question. Out of the 75,000 evacuees eligible to complete a questionnaire, this appeared to represent 11 percent of the group who failed to meet the government's interpretation for loyalty.[88]

The WRA found after a more thorough analysis that the "no" responses varied widely from center to center suggesting hidden motives behind the responses. Minidoka and Gila River, for example, had less than three percent answer negatively while at Manzanar over 50 percent had answered other than positive. The WRA staff, having performed the interviews, found that among the Nisei evacuees there were many meanings for "no". "No" could have meant a protest against discrimination; antagonisms to subordinations in the relocation centers; protest against a father interned from his family; of thoughtless defiance; for peer acceptance; of family duty; of fear of military service; of hopeless confusion; or of outright loyalty to Japan. Whatever the reason, the young Nisei and older Issei evacuee would have to live with their decision.

Following the registration effort, all project directors met in Washington, D.C. on May 31, 1943. It was agreed that the Tule Lake center would be established as a segregation center. The residents would include those who had applied for repatriation to Japan but who had not withdrawn their application by July 1, 1943. Those who answered "no" to the loyalty question during registration would also be segregated. Another group would be those who had been denied leave clearance after a security review or based on derogatory evidence in their case files.

With the Army providing guards 15,000 segregants, as these evacuees

became known, were moved in and out of Tule Lake on 33 train trips. Some 4,000 non-segregants chose to remain at Tule Lake for personal reasons. The movement of the segregants was completed by late 1943 although 1,800 segregants remained at Manzanar until additional facilities could be built at Tule Lake. These evacuees were eventually moved to Tule Lake in the early spring of 1944. The Tule Lake population reached its peak of 18,734 after completion of the segregation program on January 1, 1945[89]

The placing of all dissident and pro-Japanese elements in one center, while maintaining quiet in the other relocation centers, resulted in a major incident at Tule Lake. On October 15, 1943 a small well-organized group attempted to gain control of the community and tried to disrupt the administration of the camp. A work stoppage on the WRA farm required evacuee labor from other relocation centers to prevent the loss of the vegetable crop valued at $500,000. A short time later on November 1, 1943 WRA Director Myer visited the facility on routine business and found himself confronted with a crowd of 3,500 to 4,000 evacuees. Myer diffused the situation and the crowd dispersed but not before a WRA security employee and the WRA hospital administrator were beaten. On the evening of November 4, 1943 another group of 400 evacuees, mainly young people, some armed with clubs approached the administration area and the military was called in to maintain control. The incident and related news stories of the incident caused serious harm to the WRA relocation efforts for Japanese resettlement. It also resulted in Congressional inquiries on the incident and gave rise to criticism of the WRA.

The accomplishments of the all-Japanese 442nd Regimental Combat Team (RCT), formed as a result of the registration effort, and its 100th

Battalion were well known by the end of 1944. The 442nd RCT, incorporating the 100th Battalion as its 1st Battalion, during the Italian and French campaigns would win many individual and unit citations. In its eleven months of combat the 442nd RCT would suffer 600 killed in action and would receive 9,480 casulaties. It would become known as "the most decorated unit in Amerian Military history for its size and length of service."[90] The accomplishments of this unit and its "Go For Broke" motto countered the negative publicity stemming from the Tule Lake incident and influenced the military to begin looking at the possiblity of opening the excluded areas on the West Coast to the Japanese.

The WRA had attempted in early 1943 to have the War Department remove the West Coast exclusion order so the Japanese evacuees, especially the citizens, could return to those areas. In a March 11, 1943 letter to Secretary of War Stimson, Myer proposed three options ranging from continuance of the relocation centers, the least favorable in the eyes of the WRA, to the termination of the WDC exclusion order itself. Stimson, in his reply of May 10, 1943 was generally critical of the WRA's handling of the dissident elements and indicated that it was premature to talk of lifting the exclusion.

Myer wrote to Assistant Secretary of War McCloy on October 16, 1943 to again request termination of the West Coast exclusion order. The new commander of the WDC, General Emmons, indicated that the WDC was looking at lifting the exclusion for non-Japanese evacuees and mixed Japanese marriage cases.[91] While the WDC was considering the issue no action was taken to terminate the exclusion order or to allow reentry of the Japanese back to the West Coast.

On March 6, 1944 Myer wrote to his new superior, Secretary of the

Interior, Harold Ickes, to inform him of the ongoing communications between the WRA and the War Department.[92] Another memorandum was sent to Ickes on April 5, 1944 entitled: "Plan for Bringing the Relocation Program to a Conclusion." The three-point plan recommended:

> "I. Revocation of the military order excluding persons of Japanese ancestry from the Pacific Coast of the United States, except as those orders apply to persons who have been interned or segregated.
>
> II. Transfer of the segregation center from the War Relocation Authority to the Department of Justice within three months after announcement of this plan.
>
> III. Development and execution of an orderly plan for liquidation of relocation centers and the Relocation Authority as an organizational entity by July 1, 1945, this plan to include mandatory relocation of all evacuees now in centers, and development of appropriate procedures for provision of public assistance to evacuees requiring it after July 1, 1945, by permanent welfare agencies of the Federal or State governments."[93]

Myer sent another memorandum to Secretary Ickes on May 10, 1944 which again recommended the revocation of the Pacific Coast military exclusion orders affecting Japanese Americans. This memorandum was only to be a formality since the Departments of War, State, and Justice and the Budget Bureau were in agreement that it was time for the revocation of the exclusion orders.

On June 2, 1944 Secretary Ickes wrote to the President requesting removal of the exclusion order. The letter captures the WRA's continual effort at West Coast resettlement, and resettlement in general, and for this reason it is quoted in its entirety:

> "My dear Mr. President:
>
> I again call your attention to the urgent necessity of arriving at a determination with respect to revocation of the orders excluding Japanese Americans from the West Coast. It is my understanding that Secretary Stimson believes that there is no longer any military necessity for excluding these persons from the State of California and portions of the

States of Washington, Oregon and Arizona. Accordingly, there is no basis in law or inequity for the perpetuation of the ban.

The reasons for revoking the exclusion orders may be briefly stated as follows:

1. I have been informally advised by officials of the War Department who are in charge of this problem that there is no substantial justification for continuation of the ban from the standpoint of military security.

2. The continued exclusion of Amerian citizens of Japanese ancestry from the affected areas is clearly unconstitutional in the present circumstances. I expect that a case squarely raising this issue will reach the Supreme Court at its next term. I understand that the Department of Justice agrees that there is little doubt as to the decision which the Supreme Court will reach in a case squarely presenting the issue.

3. The continuation of the exclusion orders in the West Coast areas is adversely affecting our efforts to relocate Japanese Americans elsewhere in the country. State and local officials are saying, with some justification, that if these people are too dangerous for the West Coast, they do not want them to resettle in their localities.

4. The psychology of the Japanese Americans in the relocation centers becomes progressively worse. The difficulty which will confront these people in readjusting to ordinary life becomes greater as they spend more time in the centers.

5. The children in the centers are exposed solely to the influence of persons of Japanese ancestry. They are becoming a hopelessly maladjusted generation, apprehensive of the outside world and divorced from the possiblity of associating - or even seeing to any considerable extent - Americans of other races.

6. The retention of Japanese Americans in the relocation centers impairs the efforts which are being made to secure better treatment for American prisoners-of-war and civilians who are held by the Japanese. In many localities American nationals were not interned by the Japanese government until after the West Coast evacuation; and the Japanese government has recently responded to the State Department complaints concerning treatment of American nationals by citing, among other things, the circumstances of the evacuation and detention of the West Coast Japanese Americans.

I will not comment at this time on the justification or lack thereof for the original evacuation order. But I do say that the continued retention of these innocent people in the relocation centers would be a blot upon the history of this country.

I hope that you will decide that the exclusion orders should be revoked. This, of course, would not apply to the Japanese Americans in Tule Lake. In any event, I urge that you make a decision one way or another so that we can arrange our program accordingly.

Sincerely yours,
/s/ Harold L. Ickes
Secretary of the Interior[94]

Despite the plea from Secretary Ickes, the West Coast exclusion order was not lifted immediately. The President's office decided that this decision should not be made before the November 1944 elections. The Western Defense Command finally revoked its West Coast exclusion order, which had been in effect since March, 1942, on December 17, 1944. The effective date of the revocation was January 2, 1945. This significant event meant freedom of movement for the evacuess who could now return to the Pacific Coast. The WRA relocation program could now proceed on an unrestricted, national basis.

The outcome of the war was by now certain. Despite this fact, the WDC wanted to use its own screening process before allowing any evacuees to return to the West Coast. The screening process that had been performed by the WRA during its registration and segregation program was not acceptable to the WDC which still retained West Coast security responsibility. It was not until September 4, 1945, almost a month after the surrender of Japan, that the Army finally released its authority to the Department of Justice. Only then could the Japanese freely return to the West Coast.

With West Coast resettlement truly possible the WRA concentrated on closing all remaining relocation centers and began preparing the evacuees for return to normal community life. Realizing that many evacuees would return to the West Coast the WRA began preparing the Pacific Coast public for acceptance of the returning evacuees.

Because of the potential hostility facing the evacuees who would return to the West Coast, the WRA prepared an internal memorandum in late 1945 entitled "The WRA Campaign Against West Coast Racists." This document described the WRA strategy that would be used in preparing the

various Pacific Coast communities for accepting the evacuees. The strategy included: (a) the formulation of local community groups favorable to the Japanese; (b) the establishment of WRA field offices in key communities where evacuees were likely to settle; (c) providing factual information about the Japanese Americans; (d) publicizing the Nisei war efforts, especially the accomplishments of the 442nd Combat Team and the 100th Battalion; (e) and appealing to the basic American sense of fair play. A group of American Army officers who had served with the Nisei in combat also volunteered for a West Coast speaking tour on behalf of the evacuees.[95]

One of the most significant problems facing the evacuees returning to the Pacific Coast was the availability of housing. A network of hostels and cooperation with the Federal Housing Administration, Federal Public Housing Authority, and the National Housing Agency assisted in resolving the housing problem. The WRA also coordinated with the War Department for release of available military housing on the West Coast.

By November 30, 1945 all relocation centers were closed except for the Tule Lake segregation center. There were still some 7,269 segregants remaining at Tule Lake on January 1, 1946. Approximately 2,300, not including some 1,071 dependent children, were free to relocate and were required to do so by February 1, 1946. By February 1, 1946 there still remained a population of 5,045.

The WRA had planned to close Tule Lake by February 1, 1946 but announcements by the Justice Department to hold hearings for all renunciants delayed the closing.[96] Of the 3,186 persons requesting hearings, 2,780 were given releases to relocate anywhere in the United States and 406 were sent to the Department of Justice internment camp at

Crystal City, Texas. By March 21, 1946 there were no more residents at Tule Lake and on May 4 the facility was turned over to the Bureau of Reclamation.

With the closing of the Tule Lake segregation center, a total of 109,300 people had returned to normal life throughout the United States. A total of 25,778 men and women had been inducted into the armed forces, over 13,000 from the mainland with the remainder from Hawaii. After the completion of the WRA program some 50,000 evacuees were living outside the West Coast. Before evacuation, California had a population of 93,717 Japanese and by March 1946 approximately 48,600 had returned to California.

Of the total 120,000 people of Japanese ancestry who were the responsibility of the WRA between 1942 and 1946, a total of 4,724 repatriates and expatriates returned to Japan on five different dates - four persons on June 11, 1942; 314 on September 2, 1943; 423 on November 25, 1945; 3,551 on December 29, 1945; and 432 on February 23, 1946. Of the 4,724 repatriates and expatriates, 1659 were alien repatriates; 1949 were American citizens, all but about 100 under 20 years of age accompanying parents; and 1,116 were renunciants.

Between January 1 and May 4, 1946 all WRA district field offices were closed with property transferred to disposal agencies. The total cost of the WRA relocation effort was a costly endeavor. The total net expenditure for the WRA progran was over $160 million plus over $56 million in construction costs for the relocation centers.[97]

The cost to the nation was tremendous. For the 112,000 Japanese evacuees it was also costly in terms of human suffering, indignity, and

personal loss, the latter estimated to be around $200 million worth of real, personal, and commercial property.[98]

With the war over the Japanese evacuee could now travel and relocate freely to any area of the United States. It was time again to think of the future. For many of the evacuees who had spent much of their war years in the relocation centers, however, thinking of the future would be difficult to do. For so many years, it was doubtful whether they had any future at all.

CHAPTER VII

JUDICIAL REVIEW AND CONSTITUTIONAL CHALLENGE

The evacuation of the West Coast Japanese by the military did not go unchallenged. The final judicial review would indicate that EO 9066 was a valid exercise of the President's war powers and that the evacuation by the military was constitutional. The opinions of the Supreme Court would be narrow in scope without review of the facts behind the military decision for evacuation. The issue of "military necessity" would be taken at face value by the members of the Supreme Court and the decision of the military commander would not be questioned.

The landmark cases that tested the military decision for evacuation were those of Hirabayashi, Korematsu, and Endo. All three cases involved American citizens of Japanese ancestry who had been evacuated from military areas and were eventually placed in relocation centers. Each case would test a different aspect of the military's authority but all would seek the rightness of the military's authority to remove citizens without regard to constitutional issues. Hirabayashi would test the curfew orders, Korematsu would test the exclusion orders, and Endo would involve the issue of detention.

Gordon Hirabayashi was convicted for violating the WDC curfew and exclusion orders. The Ninth Circuit Court of Appeals questioned whether citizens residing in areas not subject to martial law could be subjected to curfew and exclusion by military orders. It also certified the following question:

> "Was Lt. General DeWitt's Civilian Exclusion Order No. 57 of May 10, 1942, excluding all persons of Japanese ancestry, including American

> citizens of Japanese ancestry, from . . . a particular area . . . and requiring a responsible member of each family, and each individual living alone, affected by the order to report . . . to the Civil Control Station in the said area in connection with said exclusion, a constitutional exercise of the war power of the President derived from the Constitution and statutes of the United States."[99]

The Supreme Court unanimously sustained the conviction of curfew on June 21, 1943. In sustaining the conviction, the Court found it unnecessary to rule on the question of citizen exclusion. Because of this narrow judicial review on the issue of curfew, but not exclusion, the issue of citizen evacuation did not have to be addressed. Though unanimous in opinion the members of the Court were not without individual views.

Justice Frank Murphy's concurring opinion was more representative of a dissenting opinion in which he spoke of the racial impact of the Court's decision:

> "The broad provisions of the Bill of Rights . . . are [not] suspended by the mere existence of a state of war. . . . Distinctions based on color and ancestry are utterly inconsistent with our traditions and ideals. . . Today is the first time, so far as I am aware, that we have sustained a substantial restriction of the personal liberty of citizens of the United States based on the accident of race or ancestry. . . . It bears a melancholy resemblance to the treatment accorded to members of the Jewish race in Germany. . . . This goes to the very brink of constitutional power."[100]

Justice Murphy also rendered a precautionary note on the power of the military:

> "In voting for affirmance of the judgment I do not wish to be understood as intimating that the military authorities in time of war are subject to no restraints whatsoever, or that they are free to impose any restrictions they may choose on the rights and liberties of individual citizens or groups of citizens in those places which may be designated as 'military areas.' . . . we must not forget that few indeed have been the invasions upon essential liberties which have not been accompanied by pleas of urgent necessity advanced in good faith by reasonable men. . . . "
>
> . . . Their status as citizens, though subject to requirements of national security and military necessity, should be at all times accorded the fullest considerations and respect. When danger is past, the restrictions imposed on them should be promptly removed and their freedom of action fully restored."[101]

In the case of Fred Korematsu, the Civil Liberties Union argued "whether or not a citizen of the United States may, because he is of Japanese ancestry, be confined in barb-wire stockades euphemistically termed Assembly Centers - actually concentration camps." Korematsu was convicted for violation of DeWitt's Civilian Exclusion Order No. 34. In a majority opinion the Supreme Court upheld Korematsu's conviction on December 18, 1944 for failure to report for evacuation. The Supreme Court limited its review to the validity of the exclusion order. The Court skirted the issue, as in Hirabayashi, of the consitutional issue of citizen evacuation and detention.

Unlike Hirabayashi, the Court was no longer unanimous in its decision. Though affirming the conviction on violation of the Exclusion Order, the members of the Court split 6-3 with Justices Owen J. Roberts, Frank Murphy, and Robert H. Jackson dissenting. The majority opinion, which reflected the internal disagreement of the Court, was written by Mr. Justice Black:

> "Some of the members of the Court are of the view that evacuation and detention in an Assembly Center were inseparable. After May 3, 1942, the date of Exclusion Order No. 34, Korematsu was under compulsion to leave the area not as he would choose but via an assembly center. The Assembly Center was conceived as a part of the machinery, for group evacuation. The power to exclude includes the power to do it by force if necessary. And any forcible measure must necessarily entail some degree of detention or restraint whatever method of removal is selected. But whichever view is taken, it results in holding that the Order under which petitioner was convicted was valid.
>
> It is said that we are dealing here with the case of imprisonment of a citizen in a concentration camp solely because of his ancestry, without evidence or inquiry concerning his loyalty and good disposition towards the United States. Our task would be simple, our duty clear, were this a case involving the imprisonment of a loyal citizen in a concentration camp because of racial prejudice. Regardless of the true nature of the assembly and relocation centers - and we deem it unjustifiable to call them concentration camps with all the ugly connotations that term implies - we are dealing specifically with nothing but an exclusion order. To cast this

case into outlines of racial prejudice, without reference to the real military dangers that were presented, merely confuses the issue. Korematsu was not excluded from the Military Area because of hostility to him or his race. He was excluded because we are at war with the Japanese Empire, because the properly constituted military authorities feared an invasion of our West Coast and felt constrained to take proper security measures, because they decided that the military urgency of the situtation demanded that all citizens of Japanese ancestry be segregated from the West Coast temporarily and finally because Congress, reposing its confidence in this time of war in our military leaders - as inevitably it must - determined that they should have the power to do just this. There was evidence of disloyalty on the part of some, the military authorities considered that the need for action was great and time was short. We cannot - by availing ourselves of the calm perspective of hind sight - now say that at that time these actions were unjustified."[102]

In dissent, Mr. Justice Roberts argued that Korematsu should not be reviewed for exclusion only but should encompass the issue of detention. In his dissenting opinion, Roberts said:

"This is not a case of keeping people off the streets at night as was Kiyoshi Hirabayashi v. United States . . . nor a case of temporary exclusion of a citizen from an area for his safety or that of the community . . . On the contrary, it is the case of convicting a citizen as a punishment for not submitting to imprisonment in a concentration camp, based on his ancestry, and solely because of his ancestry without evidence or inquiry concerning his loyalty and good disposition towards the United States. If this be a correct statement of the facts disclosed by this record, and facts of which we take judicial notice, I need hardly labor the conclusion that constitutional rights have been violated."[103]

Mr. Justice Roberts also argued that the Court should look at the broader issue of forcible detention and not limit its review to only the exclusion order. In his warning to the Court, Justice Roberts said:

"The Government has argued this case as if the only order outstanding at the time the petitioner was arrested and informed against was Exclusion Order No. 34 ordering him to leave the area in which he resided, which was the basis of the information against him. That argument has evidently been effective. The opinion refers to the Hirabayashi case, supra, to show that this court has sustained the validity of a curfew order in an emergency. The argument then is that exclusion from a given area of danger, while somewhat more sweeping than a curfew regulation, is of the same nature - a temporary expedient made necessary by a sudden emergency. This, I think, is a substitution of an hypothetical case for the case actually before the court. I might agree with the court's

> disposition of the hypothetical case. The liberty of every American citizen freely to come and to go must frequently, in the face of sudden danger, be temporarily limited or suspended. The civil authorities must often resort to the expedient of excluding citizens temporarily from a locality. . . . If the exclusion worked by Exclusion Order No. 34 were of that nature, the Hirabayashi case would be authority for sustaining it. But the facts above recited, and those set forth in Ex parte Mitsuye Endo, supra, show that the exclusion was but a part of an overall plan for forcible detention. This case cannot, therefore, be decided on any such narrow ground as the possible validity of a temporary Exclusion Order under which the residents of an area are given an opportunity to leave and go elsewhere in their native land outside the boundaries of a military area. To make the case turn on any such assumption is to shut our eyes to reality.-[104]

Mr. Justice Murphy, in his dissenting opinion, underscored the issue of citizen's rights of Japanese Americans and its relationship to military necessity. The Court had not questioned the military's rationale or its judgment in the evacuation. Justice Murphy was quick to address this shortcoming by saying:

> "This exclusion of 'all persons of Japanese ancestry, both alien and non-alien; from the Pacific Coast area on a plea of military necessity in the absence of martial law ought not to be approved. Such exclusion goes over 'the very brink of constitutional power' and falls into the ugly abyss of racism.
>
> In dealing with matters relating to the prosecution and progress of a war, we must accord great respect and consideration to the judgments of the military authorities who are on the scene and who have full knowledge of the military facts. The scope of their discretion must, as a matter of necessity and common sense, be wide. . . . their judgments ought not to be overruled lightly by those whose training and duties ill-equip them to deal intelligently with matters so vital to the physical security of the nation.
>
> At the same time, however, it is essential that there be definite limits to military discretion, especially where martial law has not been declared. Individuals must not be left impoverished of their constitutional rights on a plea of military necessity that has neither substance nor support.-[105]

Justice Murphy continued his dissent by stating that the military, which should be given wide latitude in crisis, had not adequately linked military necessity to the need for evacation. Murphy was also critical

that the guilt of the Japanese had been determined on a group, rather than an individual basis. Justice Murphy said:

> "The main reasons relied upon by those responsible for the forced evacuation, therefore, do not prove a reasonable relation between the group characteristics of Japanese Americans and the dangers of invasion, sabotage, and espionage. The reasons appear, instead, to be largely an accumulation of much of the misinformation, half-truths and insinuations that for years have been directed against Japanese Americans by people with racial and economic prejudices - the same people who have been among the foremost advocates of the evacuation. A military judgment based upon such racial and sociological considerations is not entitled to the great weight originally given the judgments based upon strictly military considerations. Especially is this so when every charge relative to race, religion, culture, geographical location, and legal and economic status has been substantially discredited by independent studies made by experts in these matters.
>
> The military necessity which is essential to the validity of the evacuation order thus resolves itself into a few intimations that certain individuals aided the enemy, from which it is inferred that the entire group of Japanese Americans could not be trusted to be or remain loyal to the United States. No one denies, of course, that there were some disloyal persons of Japanese descent on the Pacific Coast who did all in their power to aid their ancestral land. Similar disloyal activities have been engaged in by many persons of German, Italian, and even more pioneer stock in our country. But to infer that examples of individual disloyalty and to justify discriminatory action against the entire group is to deny that under our system of law individual guilt is the sole basis for deprivation of rights."[104]

Mr. Justice Jackson, the third dissenting member of the Court, addressed the racial aspects of the Korematsu case. Justice Jackson said of Korematsu:

> "Korematsu was born on our soil, of parents born in Japan. The Constitution makes him a citizen of the United States by nativity and a citizen of California by residence. No claim is made that he is not loyal to this country. There is no suggestion that apart from the matter involved here that he is not law-abiding and well disposed. Korematsu, however, has been convicted of an act not commonly a crime. It consists merely of being present in the state whereof he is a citizen, the place where he was born, and where all his life he has lived.
>
> Even more unusual is the series of military orders which made this conduct a crime. They forbid such a one to remain, and they also forbid him to leave. They were so drawn that the only way Korematsu could avoid violation was to give himself up to the military authority. This

meant submission to custody, examination, and transportation out of the territory, to be followed by indeterminate confinement in detention camps.

A citizen's presence in the locality, however, was made a crime only if his parents were of a Japanese birth. Had Korematsu been one of four - the others being, say, a German alien enemy, an Italian alien enemy, and a citizen of American-born ancestors, convicted of treason but out on parole-only Korematsu's presence would have violated the order. The difference between their innocence and his crime would result, not from anything he did, said, or thought, different than they, but only in that he was born of different racial stock."[107]

In further argument, Justice Jackson focused his dissent on military authority and its relation to the Constitution. Jackson's thoughts also reflected the Court's reluctance to question the military's judgment on military necessity. In his opinion, Jackson said:

"It would be impracticable and dangerous idealism to expect or insist that each specific military command in an area of probable operations will conform to conventional tests of contitutionality. When an area is so beset that it must be put under military control at all, the paramount consideration is that its measures be successful, rather than legal. The armed services must protect a society, not merely its Constitution. The very essence of the military job is to marshall physical force, to remove every obstacle to its effectiveness, to give it every strategic advantage. Defense measures will not, and often should not, be held within the limits that bind civil authority in peace. No court can require such a commander in such circumstances to act as a reasonable man; he may be unreasonably cautious and exacting. Perhaps he should be. But a commander in temporarily focusing the life of a community on defense is carrying out a military program; he is not making law in the sense the courts know the term. He issues orders, and they may have a cerain authority as military commands, although they may be very bad as constitutional law.

But if we cannot confine military expedients by the Constitution, neither would I distort the Constitution to approve all that the military may deem expedient. This is what the Court appears to be doing, whether consciously or not. I cannot say, from any evidence before me, that the orders of General DeWitt were not reasonably expedient military precautions, nor could I say that they were. But even if they were permissable military procedures, I deny that it follows that they are constitutional. If, as the Court holds, it does follow, then we may as well say that any military order will be constitutional and have done with it. . .

. My duties as a Justice as I see them do not require me to make a military judgment as to whether General DeWitt's evacuation and detention program was a reasonable military necessity. I do not suggest that the courts should have attempted to interfere with the Army in carrying out its task. But I do not think they may be asked to execute a

military expedient that has no place in law under the Constitution. I would reverse the judgment and discharge the prisoner."[108]

The Korematsu case, as in Hirabayashi, was decided on narrow grounds without dealing specifically on the issue of violation of citizen's rights granted by the Constitution. The Court would have one more opportunity to address that issue in Endo v. United States.

Mitsuye Endo, as Hirabayashi and Korematsu, was American born. Endo was evacuated from Sacramento, California in 1942 and was placed in the Tule Lake Relocation Center, and later at Topaz. In her brief, the American Civil Liberties Union presented three issues on her behalf: (a)The government was without power to detain a citizen against whom no individual charges had been instituted; (b) Segregation and detention of citizens on the basis of ancestry is patently unconstitutional; and (c) Since she was kept behind barbed wire involuntarily and without due process she was entitled to release without complying with the WRA leave regulations. On these issues, Endo filed a writ of habeas corpus for discharge and release.

On December 18, 1944, the same day that Korematsu was decided, the Supreme Court handed down its decision on Endo. The Court was unanimous in its opinion that Endo be unconditionally released by the WRA. Mr. Justice Douglas delivered the unanimous opinion by saying of Endo:

"Her petition for a writ of habeas corpus alleges that she is a loyal and law-abiding citizen of the United States and that no charge has been made against her, that she is being unlawfully detained, and that she is confined in the Relocation Center under armed guard and held there against her will.

It is conceded by the Department of Justice and by the War Relocation Authority that the appellant is a loyal and law-abiding citizen. They make no claim that she is detained on any charge or that she is even suspected of disloyalty. . . .

A citizen who is concededly loyal presents no problem of espionage or sabotage. Loyalty is a matter of the heart and mind, not of race, creed, or color. He who is loyal is by definition not a spy or a saboteur. When the

> power to detain is derived from the power to protect the war effort against espionage and sabotage, detention which has no relationship to the objective is unauthorized.
>
> Nor may the power to detain an admittedly loyal citizen or to grant him a conditional release be implied as a useful or convenient step in the evacuation program . . . If we assume (as we do) that the original evacuation was justified, its lawful character was derived from the fact that it was an espionage and sabotage measure, not that there was community hostility to this group of American citizens. The evacuation program rested explicitly on the former ground not on the latter as the underlying legislation shows."[109]

In his concurring opinion, Mr. Justice Murphy was more vociferous on the evacuation of the Japanese American. He said of this event:

> "I join in the opinion of the Court, but I am of the view that detention in Relocation Centers of persons of Japanese ancestry regardless of loyalty is not only unauthorized by Congress or the Executive but is another example of the unconstitutional resort to racism inherent in the entire evacuation program. . . . racial discrimination of this nature bears no reasonable relation to military necessity and is utterly foreign to ideals and traditions of the American people."[110]

While the Court refused to uphold the detention of Endo, it was not because of its relation to the evacuation program. Endo was released because Executive Order 9102, which established the WRA, had not expressly authorized detention as part of its relocation program.

In deciding on the three cases - Hirabayashi, Korematsu, Endo - the Court validated, in Hirabayashi, curfew restrictions and, in Korematsu, the constitutionality of evacuation, both on the basis of military necessity. In Endo, detention was denied but not as a result of the evacuation program but for an administrative deficiency in EO 9102. Military necessity was neither questioned or substantiated by the Court. This unquestioning adoption of military necessity by the judiciary would set the precedent for a shift of the President's war powers to the side of the military.

TenBroek, Barnhart, and Matson critically point to the irresponsiblity of the Supreme Court in not looking at the question of military necessity

in more depth. They said of the Court's performance:

> "In the Japanese American cases, the Supreme Court carried judicial self-restraint to the point of judicial abdication. It there sustained a drastic act of military government over citizen civilians within the country without inquiring into its factual justification. The basic factual hypothesis underlying the whole program of curfew, uprooting, removal, and imprisonment - that, in time of war, permanent alien residents and American citizens having ethnic affiliations with the people of any enemy government, if that people is Oriental, may be a greater source of internal danger than those of other ancestry, and that, in the war conditions on the Pacific Coast in the spring and summer of 1942, such persons could not feasibly be isolated and dealt with individually - received no judicial investigation. Beyond that, in the Korematsu case, the court without proof or substantial evidence of any sort, simply attributed to the military (1) a 'finding' that the curfew and other existing methods were inadequate protection against espionage and sabotage and (2) a conclusion that the program was militarily necessary. The court declined to review the military action for bad motives or unreasonableness; declined to investigate factually whether there was a military peril, whether the measures adopted were appropriate to cope with the peril, and, if so, whether they unnecessarily invaded constitutional rights and guarantees; declined to even to inquire whether the judgment made by the military was a military estimate of a military situation. Apparently all that the court required to foreclose judicial scrutiny was that the action had been taken by the miitary. The military thus was allowed finally to determine the scope of its own power."[111]

The Supreme Court upheld the constitutionality of EO 9066 and the evacuation of the Japanese from the West Coast. The Court's narrow review of each of the test cases - Hirabayashi, Korematsu, and Endo - independent of the overall issue of evacuation of U. S. citizens shifted the war powers to the side of the military. The Court also refused to question the judgment of the military commander on the issue of military necessity or his rationale in establishing it.

On this basis the Court sanctified the forced removal and imprisonment of American citizens without trial, without assignment of guilt, and without individual or institutional guarantees provided by the Constitution. Military action was based merely on a suspicion of guilt, based on a racial group basis, and was applied discriminantly only tp one

race. In normal times this would have been an outrage. In a time of survival, it was acceptable and demanded.

CHAPTER VIII

JAPANESE EVACUATION - WHY IT HAPPENED

The proponents for the evacuation would say that it was required by military necessity. Years later on August 10, 1988, Public Law 100-383 would be passed by Congress. This law, the Civil Liberties Act of 1988, would say that "a grave injustice was done to both citizens and permanent resident aliens of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II." The Law would say that "these actions were carried out without adequate security reasons and without any acts of espionage and sabotage . . . and were motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership."[112]

Certainly these factors were responsible, but there were other considerations - social, political, and military - affecting the evacuation and relocation of the Japanese. Each of these factors, taken by themselves, would not have caused the removal of the Japanese from the West Coast. Collectively, each served as a catalyst in allowing the military to proceed, uninhibited, with its final course of action. These factors - social, political, military - will be addressed to show their influence on the evacuation action.

SOCIAL CONSIDERATIONS:

The social influences contributing to the West Coast evacuation of the Japanese were: (a) the anti-Japanese environment in California; (b)

irresponsible media leadership which reinforced the public's wartime hysteria, and (c) wartime hysteria of the public.

The anti-Japanese environment before the war is well-documented. Numerous anti-Japanese organizations, highlighted at the beginning of this paper exercised considerable influence. Its members were the most political and influential elite within California and at the national level.

Edward J. Ennis, the Director of alien Enemy Control Unit of the Justice Department, would testify before a House subcommittee in 1954 on the evacuation of the Japanese. Ennis would say of their social situation:

> "The second factor that contributed to this evacuation was the covert and overt antagonism on the west coast to this minority, which had social reasons: The simple racial disparity between the majority of the population and this group of Asiatic ancestry, economic reasons, based on the fact that these people controlled the production of some very important crops. They were the chief flower culturalists, the strawberry crop, other crops, the majority of the crops are controlled by this minority group, and very soon, in January of 1942, the Congress of the United States, and particularly a caucus of all of the west-coast delegation of Senators and Congressmen began to hear in very loud tones from the chambers of commerce and the various farmers' and growers' associations on the west coast about the fact that the war situation was the time to dispose of the Japanese problem."[113]

Wartime hysteria and anti-Japanese sentiment grew solely because media leadership diminished. In crisis, responsible leadership can diffuse an emergency or irresponsible leadership can fuel it. The Fourth Estate, the press, must bear the greatest burden for irresponsible leadership in contributing to the environment that allowed for the evacuation to occur.

In an editorial analysis of West Coast newspapers, Chiasson concluded that fear "was the predominant emotion which pervaded the editorial pages of the West Coast newpapers." Fear within the press was shaped by many concerns: (a) fear that the Army would not use EO 9066 to

its limit; (b) that only Japanese aliens would be restricted or evacuated; (c) that, even when evacuated, the relocation centers housing the Japanese were still too close to the coast; (d) of hastily devised, poorly conceived government policies to solve the Pacific Coast problems; and (e) that a vegetable shortage would occur if the Japanese were removed.[114]

The fears of the press were no different than the fears of the public. Unlike the public, the press had the ability to significantly influence public opinion, either responsibly or irresponsibly. The newspapers and columnists chose the latter. Rather that calm fears the press reinforced the public's fears with its own.

Chiasson's study offers the following conclusions of the West Coast press: (a) fear predominated the press; (b) before evacuation, over 71% of the 27 newpapers analyzed supported suspension of the constitutional rights of the Japanese, based on military necessity, but as the crisis decreased so did editorial support favoring military necessity over consitutional guarantees; (c) once the military decision was made for the mass evacuation of the Japanese, none of the newpapers questioned the legality or necessity of the decision although reservations and questions arose as the crisis diminished; (d) only one newspaper provided social, cultural, or historical background information of the Japanese; (e) once newspapers began editorializing about mass evacuation, they did not remain neutral; and (f) editorials of Japanese Americans rarely used terms as "citizens", "Nisei", or "Japanese Americans" but chose instead terms like "Japanese" or "near-aliens." Chiasson sums up his analysis of the West Coast newpapers by saying:

> "the editorial picture painted by the newspapers in this study was a bleak one. If the opinions of the 27 newpapers were a representative one, the Japanese-Americans did not stand a chance. . . . the attack against the

> Japanese community living on the Pacific Coast came because fear was a common commodity of the times, on sale with every rumor, each suspician, a dozen governmental proclamations. The fault could be found there, in the magnitude of America's fear."[115]

Media leadership through responsible journalism could have calmed the public's hysteria and might have prevented the military's decision for evacuation. If influential editorial positions, like those of well-respected and nationally known Walter Lippman or Westbrook Pegler, had spoken out against evacuation rather than for it, public hysteria might have been calmed. It undoubtedly would have made a significant contribution to stemming wartime hysteria.

Existing anti-Japanese sentiment, kindled by inflammatory statements from the anti-Japanese organizations and the Fourth Estate fueled the public's fears of the Japanese. The public, rational at other times, were willing to believe the worst, and did, about a minority that few understood. These influences drove the public to clamor for both political and governmental actions to protect them from the Japanese threat. It also facilitted the military decision for mass evacuation.

POLITICAL CONSIDERATIONS:

Many politial factors influenced the outcome of the Pacific Coast evacuation of the Japanese. These included: (a) the lack of political influence of, or for, the Japanese; (b) Presidential accomodation; and (c) the lack of political leadership.

Immediately after Pearl Harbor there were many politicians who spoke of restraint towards the Japanese. Governor Ralph Carr of Colorado, like most of the Western governors, sent messages of reassurance and understanding to the Japanese American Citizens League. When the cry for

mass evacuation was at its highest, however, only Carr had the courage of his convictions. When all other Western governors refused to welcome the Japanese evacuees under the WRA resettlement program only Carr openly welcomed the Issei and Nisei to his state.

On the East Coast the mayor of New York City and Director of the Federal Office of Civilian Defense, Fiorello LaGuardia, the most prominent Italian-American, spoke on behalf of Italian and German aliens. LaGuardia suggested that such persons should be presumed loyal until evidence proved otherwise. LaGuardia said nothing on behalf of the Japanese. In April 1944 he would also publicly oppose the resettlement of Japanese-Americans in New York City.

The Japanese had no such political champion to protect their interests. Edward J. Ennis, the Director of Alien Enemy Control Unit of the Justice Department, testified before a House Subcommittee in 1954 on the evacuation of the Japanese. Ennis would say of their political situation:

> "the Japanese population and the Japanese-American population were perhaps the least politically integrated minority in our country, some 110,000 people on the mainland, a third of them aliens, many of them without knowledge of our language, farmers in California, who, because of our laws had not been permitted to become citizens of the United States. That precious privilege was not given to them until the Immigration and Naturalization Act of 1952.
>
> As a consequence, this group politically were unable to participate as citizens in our community life, and therefore they were unable to exercise any substantial political influence in our political life. Their children in 1942, the average age was something like 17, they were literally all minors, so that when this attack on Pearl Harbor happened, and the sentiment which had existed on the west coast, and it is no secret certainly since 1900 against the minority began to rise, they had no way to deal with it.
>
> By comparison, for example, some discussion was given to evacuating all the German and Italian aliens from the west coast. That military suggestion immediately ran into the insuperable obstacle of the political orientation and political integration of these people, which made it absolutely impossible to make any progress with the Government on that subject. These people were protected by their complete integration in our community, and the Japanese simply were not."[116]

While the Japanese had no political champions to voice their cause the Italian and German ethnic groups had the attention of the Nation's senior political leader, the President of the United States. President Roosevelt delegated the West Coast Japanese problem to the military but was more personally involved with the Italians and Germans because of their ethnic vote. When rumors surfaced that the Italian and German aliens would be subjected to mass evacuation from the East Coast, Roosevelt made it clear to Secretary of War Stimson that there should be no mass movement of Italians or Germans. Stimson inquired of his Assistant Secretary McCloy who assured Stimson on May 15, 1942 that "we have persistently notified . . . everyone who has consulted us that we intend no mass evacuations on the East Coast. . . .[117]

While mass evacuation of the Italian and German aliens was specifically precluded by Roosevelt's intervention, the Japanese enjoyed no such Presidential accomodation. McCloy, despite assurances to Stimson, had envisioned the possibility of a mass evacuation against the Germans and Italian aliens as early as March 20, 1942. In a memorandum to the Chief of Army Field Forces, McCloy wrote:

> "As the war progresses it may become necessary to move aliens inland from the East and South Coasts in a manner similar to the way we are moving Japs along the West Coast. Would it not be well to have the Eastern and Southern Defense Commanders send an officer to the West Coast to study the method used out there for evacuation and to plan for similar action in their own areas. This will save a lot of time and avoid confusion if we are ever called on to remove aliens from other areas."[118]

It's evident that the War Department was planning for the mass evacuation of other nationalities, if such were required. The interest of the President quickly stopped any such action against the Italians and the Germans from materializing. These two ethnic groups enjoyed the special

consideration of the President. The Japanese enjoyed no such protection because as a group they were politically sterile.

Though unprotected by the President, strong political leadership elsewhere could have impacted the evacuation of the Japanese. Roosevelt, like other politicians, spoke idealistically at the start of the war only to replace principal with expediency. Immediately after Pearl Harbor Roosevelt said of the resident Japanese in the United States:

> "It is one thing to safeguard American industry, and particularly defense industry, against sabotage; but it is very much another to throw out of work honest and loyal people who, except for the accident of birth, are sincerly patriotic . . . Remember the Nazi technique; 'Pit race against race, religion against religion, prejudice against prejudice. Divide and conquer.' We must not let that happen here. We must not forget what we are defending: Liberty, decency, and justice."[119]

The President's words were firm but his conviction was not. Attorney General Biddle in his memoirs would say, many years later, of President Roosevelt:

> "I do not think he was much concerned with the gravity or implications of this step. He was never theoretical about things. What must be done to defend the country, must be done. The decision was for his Secretary of War, not for the Attorney General, not even for J. Edgar Hoover, whose judgement as to the appropriateness of defense measures he greatly respected. The military might be wrong. But they were fighting the war. Public opinion was on their side, so that there was no question of any substantial opposition, which might tend toward the disunity that at all costs he must avoid. Nor do I think that the constitutional difficulty plagued him - the Constitution, has never greatly bothered any wartime President . . . Once he emphasized to me, when I was expressing my belief that the evacuation was unnecessary, this must be a military decision."[120]

If the President firmly believed that the evacuation decision should be reserved for the military this does not explain why he interceded on behalf of the Italian and German ethinic groups when the field commander was recommending otherwise.. DeWitt had recommended to the War Department in February 1942 for the evacuation of the Italian and German

aliens from the West Coast, as well as all Japanese. Following Roosevelt's desires, Secretary of War Stimson's instructions to DeWitt on February 20 make it abundantly clear that only the Japanese were to be affected.

If Presidential leadership was lacking so too was political leadership at the various state and local levels. Members of the West Coast Congressional delegation, could have done much to calm the hysteria and fears of the public. It was more politically expedient to respond to the fears of their constituency, and themselves, than to risk their reputation on constitutional ideals. Some of the most damning tirades would come from local officials that were the most familiar about the Japanese resident and his behavior,

Mayor Fletcher Bowron of Los Angeles would say that the "the Japanese problem is centered in Los Angeles." Earl Warren, the state attorney general would testify before the Tolan Committe:

> "I want to say that the concensus of opinion among the law enforcement officers 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. . . . We believe that when we are dealing with the Caucasian race we have methods that will test the loyalty of them, and we believe that we can, in dealing with the Germans and the Italians, arrive at some fairly sound conclusions because of our knowkedge of the way they live in the community and have lived for many years. But when we deal with the Japanese we are in an entirely different field and we cannot form any opinion that we believe to be sound."[121]

Political leadership was lacking when the senior law enforcement official in California could undermine the constitutional rights of U.S. citizens so easily. Again, political expediency and accomodation in addressing constituency concerns may have been the real motive. Warren would seek the California governorship in 1942 which he would win. A

position opposing mass evacuation when the public was pressuring for more firm action would have been politically disastrous.

Warren was also affiliated with the Joint Immigration Committee, California's most nativist organization. He had also been a protege of Ulysses S. Webb a former California state attorney general whose anti-oriental contributions were equalled only by V.S. McClatchy and ex-mayor of San Francisco and Senator James Phelan.

Warren was not the voice of calm or reason during the height of the public's hysteria concerning the Japanese. He was instead the voice for mass evacuation and the exclusion of constitutional rights of a selected racial minority. When the chief law enforcement official of the state failed to take a stand against evacuation but actively spoke for it, the message to the public was clear. The Japanese must be a threat and they would have to go. Ironically, Earl Warren, who spoke for the suspension of citizen rights of the Japanese would later become the champion of civil rights as Chief Justice of the United States Supreme Court.

The same void in political leadership could be said of California governor, Culbert Olson. Speaking out against mass evacuation was politically risky because of the 1942 governorship race which Olson would lose to Warren. Whether there would have been any difference in political stand, if not for the 1942 governorship, is unknown but unlikely. There was tremendous public pressure on both Warren and Olson to do something about the Japanese and it was more expedient to be for, than against, mass evacuation. In a memorandum from J. Edgar Hoover to Attorney General Biddle the public pressure on these two political figures is shown:

> "The necessity for mass evacuation is based primarily upon public and political pressure than of factual data. Public hysteria and, in some instances, the comments of the press and radio announcers have resulted

> in a tremendous amount of pressure being brought to bear on Governor Olson and Earl Warren, attorney general of the state."[122]

Political leadership at its best is to do the right thing, not the politically expedient. The wartime situation undoubtedly placed both Warren and Olson under extreme pressure to balance the constitutional guarantees of the citizen with personal, political, and military biases.

Constituency opinion and the political sterility of the Japanese minority, thought to be unassimiliable with American culture and values, would lead both Olson and Warren to support the decision for Japanese evacuation regardless of citizenship status of the evacuated group. This capitulation on the issue of citizen rights is where both Olson and Warren failed to demonstate political leadership.

The only official who steadfastly argued against mass evacuation and for the protection of the constitutional rights of the Japanese was the Attorney General, Francis Biddle. Biddle's leadership was admirable, but short-lived. Biddle had argued for restraint but was not able to overcome the constant pressure of the public, the politicians, and the military. In an interview on October 13, 1943 Biddle would say the following on the evacuation of the Japanese:

> "I never thought evacuation was necessary and I still don't think it was. Nevertheless, there was no way I could stop it. The Army authorities were insistent, they talked in terms of military necessity and, in time of war, there is no way you can stop the Army of such a thing. . . . At the time we were not appraised of the actual military situation. And General DeWitt may have had more grounds for fearing an attack on our shores than I thought or think he had. . . . We didn't discuss administrative feasibility - it wasn't that the Justice Department couldn't carry out the evacuation, rather it was a case where I thought the Justice Department simply should not be a party to a program in which citizens were to be deprived of their liberties. That was a military matter and the military properly had to administer it. Such a program was no program for a Department of Justice to carry out. It was a military task."[123]

Biddle could have stopped the War Department's final thrust for mass evacuation when President Roosevelt gave verbal authority to Secretary Stimson on February 17, 1942. On the evening of February 17, 1942 representatives of the War and Justice Departments met at Biddle's home. Assistant Secretary of War McCloy, Provost Marshall General Gullion, and Colonel Bendetsen, met with Biddle, Tom C. Clark, the Justice Department's West Coast representative; James Rowe, Jr., Biddle's assistant; and Edward J. Ennis, chief of alien enemy control. Gullion read a draft of the proposed Executive Order that would become EO 9066. Morton Grodzins says of the Justice Department's reaction:

> "Rowe was amazed. He actually laughed. He thought the matter absurd. His first impression he said, was 'ridiculous' - the lawyer's impression that it was a very badly drawn order. But he and Ennis voiced full opposition and 'perhaps too strongly.' General Gullion became angry . . . Rowe was 'angry and hurt.' Ennis, as he made a last appeal for the individual examination of citizens, looked as if he was going to cry."[124]

Biddle, who was aware of the President's decision did not object anymore to the War Department's position. Biddle was willing to accept the decision of the President and would later write of this meeting:

> "If Stimson had stood firm, had insisted, as apparently he suspected, that this wholesale evacuation was needless, the President would have followed his advice. And if, instead of dealing almost exclusively with McCloy and Bendetsen, I had urged the Secretary to resist the pressure of his subordinates, the result might have been different. But I was new to the cabinet, and disinclined to insist on my view to an elder statesman whose wisdom and integrity I greatly respected."[125]

Strong political leadership could again have made a difference. Biddle knew what could have been done. While the President had verbally acquiesced to the War Department it was still not too late for Biddle to have confronted Stimson, or even the President, to back his convictions.

Biddle, the nation's senior civilian lawmaker, chose instead to bow to the military's wishes. From that evening forward, the Department of

Justice would no longer be significantly involved with the Japanese problem on the West Coast. Because the civilan authorities no longer opposed the War Department, the military would be unopposed to decide whatever action was necessary, against whomever it chose.

MILITARY CONSIDERATIONS

Social and political considerations facilitated the mass evacuation of the West Coast Japanese, but it was the military decision that caused the evacuation to occur. Key factors which formed the evacuation decision were: (a) the racist nature of the Western Defense Commander, General John DeWitt; (b) the influence of the Provost Marshal General , Allen Gullion; (c) the unpreparedness of the WDC; and (d) the failure of the Army General Staff to be involved in the evacuation decision.

The individual held most accountable for the mass evacuation of the West Coast Japanese was the ground commander of the Western Defense Command, Lieutenant General John L. DeWitt. DeWitt's decision was based on military necessity but his decision was facilitated by his racist disposition and the many external forces that reinforced his racist orientation.

DeWitt believed the Japanese to be unassimilable with American culture and values. The Japanese, alien and American-born citizen, were a security threat because as an entire race their loyalty was ethnically and culturally aligned with Japan and not the United States. While the loyalties of Germans and Italians could be determined on an individual basis, application of this same criteria was denied the Japanese. DeWitt's racist determination that ethnic class was the basis for determining

loyalty justified the military necessity for the evacuation of only the Pacific Coast Japanese. DeWitt's racist disposition is shown in his final recommendation to the War Department on February 14, 1942:

> "The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of American citizenship, have become 'Americanized,' the racial strains are undiluted."[126]

Later, on June 5, 1942 DeWitt rationalized his decision for the Japanese evacuation. In his final report to the War Department DeWitt said:

> "The continued presence of a large unassimilated, tightly knit racial group, bound to an enemy nation by strong ties of race, culture, custom, and religion along a frontier vulnerable to attack constituted a menace which had to be dealt with. Their loyalties were unknown and time was of the essence"[127]

DeWitt's differing ethnic views between the European ethnic groups and the Japanese was demonstrated in his conversation with Assistant Secretary of War, John McCloy. In this February 3, 1942 conversation DeWitt said of the European groups:

> "Particularly about the Germans and the Italians because you don't have to worry about them as a group. You have to worry about them purely as certain individuals. Out here, Mr. Secretary, a Jap is a Jap. . ."[128]

DeWitt's view that the loyalty of the Germans and Italians could be determined individually while the loyalty of the Japanese could not reflected DeWitt's racial bias which favored the European ethnic groups over the Japanese. This was true eventhough the United States was at war with all three countries and DeWitt viewed all aliens as equal threats.

DeWitt recognized that the Germans and Italians presented potential threats to his command, the same as the Japanese. DeWitt said of the European groups:

> "Disposed within the vital coastal strip already mentioned are large numbers of Italians and Germans, foreign and native born, among whom are many individuals who constitute an actual or potential menace to the safety of the nation."[129]

In a January 31, 1942 conversation with Bendetsen, DeWitt discussed the need to evacuate all enemy aliens, not just the Japanese:

> DeWitt: I do not feel that the War Department should be charged with resettlement. . . . but if it should be determined that all enemy aliens are to be evacuated from the Pacific Coast, the War Department can handle the evacuation . . . the steps now being taken by the Attorney General through the Federal Bureau of Investigation will do nothing more than exercise a controlling influence and preventative action against sabotage. It will not, in my opinion, be able to stop it. The only positive answer to that question is evacuation of all enemy aliens on the West Coast. . .
>
> Bendetsen: May I ask you, sir, as to the first paragraph-On alien enemies in the last sentence. . . do you include Japanese Americans ?
>
> DeWitt: I include all Germans, all Italians who are enemy aliens and all Japanese who are Native born or foreign born.
>
> Bendetsen: Would you include all Italian dual citizens in that?
>
> DeWitt: I think so. Now, did I place the following of priority from the

> standpoint of danger of these tree groups? First, the Japanese, all prices [sic]. . . . The next group, the Germans. . . . The third group, the Italians.[130]

If DeWitt viewed the Germans and Italians as equal threats why were only the Japanese evacuated? Stimson's directions that German and Italian groups not be touched were specific, but DeWitt, as the theater commander was still responsible for West Coast security. DeWitt's capitulation to the War Department's preferential treatment of the Italian and German ethnic groups, eventough these groups were viewed as equal threats, reflected his racially biased attitude that only the Japanese, as a racial group, were more dangerous.

DeWitt's racial bias was not limited to the Japanese but was equally applicable to other non-white groups. It was Army policy to accept Asian Americans for general service and blacks for service in segregated units but DeWitt would have neither. Learning that he was to receive non-white replacements within his command DeWitt told the War Department, with satisfactory results:

> . . . .You're filling too many colored groups up on the West Coast. . . . there will be a great deal of public reaction out here due to the Jap situation. They feel they got enough black skinned people around them as it is. Filipinos and Japanese. . . . I'd rather have a white regiment."[131]

In testimony before a House Subcommittee on Naval Affairs on April 13, 1943, DeWitt would boast of his accomplishments in ridding his command of Japanese Americans:

"At one time we had a great many Japanese in military units on the West Coast. They were all at my request transferred out by the War Department to other organizations."[132]

DeWitt's racist views towards the Japanese population were complimentary with the anti-Japanese environment that existed on the West Coast. Wartime hysteria and fear of an external Japanese threat provided the necessary support that legitimized DeWitt's decision for the evacuation of the West Coast Japanese. It also allowed for the suspension of the constitutional rights of Japanese Americans by including this group in the evacuation action.

DeWitt's evacuation decision was based on military necessity. Necessity was determined, however, on a racial group basis selectively applied to only one ethnic group. This selective determination of which group evacuation would be applied, if not based solely on a racist motive, was certanly influenced by DeWitt's racist disposition towards the Japanese.

If DeWitt's racist disposition contributed to the military decision for evacuation, it should be noted that a similar attitude existed throughout the War Department structure, to the President's Cabinet, and to the President, himself. While initially opposed to mass evacuation, neither Secretaries of War, Stimson or McCloy, or the President opposed DeWitt's justification for mass evacuation.

While DeWitt, as the WDC commander, must bear immediate responsibility for the evacuation of the Pacific Coast Japanese, his decision was guided by the Provost Marshall General, Allen Gullion. Gullion was the key individual who skillfully influenced DeWitt and the senior, civilian leadership in the War Department to execute the extreme measure of total evacuation. Gullion's pivotal role in the evacuation decision is supported by Stetson Conn, the Army's civilian historian during WWII, who points to the involvement of Gullion in formulating the War Department's decision for evacuation.[133]

Gullion was the critical link in the decision chain that spanned between DeWitt on the West Coast and the two Secretaries of War, Stimson and his Assistant, John McCloy. Gullion was not just the advisor or coordinator on the issue of the West Coast Japanese, he was the formulator of War Department policy that led to the creation of EO 9066, and subsequently, the removal of all Japanese from the West Coast.

Gullion's role in the evacuation decision began even before the bombing of Pearl Harbor. As the Judge Advocate General, the Army's senior legal advisor, Gullion had advised Army Intelligence in November 1940 of alien and citizen restraint when the Army was concerned with potential fifth-column activity in the United States should war occur.

In December 1941, now as the Provost Marshall General, the Army's

top law enforcement officer, Gullion became directly involved with DeWitt and the West Coast Japanese situation. During routine telephone conversations from December 1941 to February 1942 Gullion would formulate the eventual War Department policy for mass evacuation and would guide DeWitt in its implementation.

By early February 1942 there was no concensus within the military on how to deal with the alien or Japanese American problem on the West Coast. While Gullion was for total evacuation, Stimson and McCloy were against it. Gullion confirmed the War Department's position against mass evacuation to General Clark of the Army General Staff. In a telephone conversation on February 4, 1942 Gullion told Clark:

> "Gullion: . . . yesterday Secretary Stimson, McCloy, Bendetsen and I talked for an hour and a half on the situation and I can tell you that the two Secretaries are against any mass movement. They are pretty much against it. And they are also pretty much against interfering with citizens unless it can be done legally. . . . McCloy did say this to Biddle - you are putting a Wall Street lawyer in a helluva box, but if it is a question of the safety of the country [and] the constitution. . . why the constitution is just a scrap of paper to me. . . . But they are just a little afraid DeWitt hasn't enough grounds to justify any movement of that kind.
>
> Clark: . . . Well, what do you think should be done. What is the position of the War Department?
>
> Gullion: Well, the War Department's position is of course what Stimson's and McCloy's position is, that is a." [134]

McCloy's solution for West Coast security was to exclude Japanese Americans from certain areas by establishing military areas around strategic installations and through a system of passes and licenses selectively exclude the Japanese from these prohibited areas. In a February 3, 1942 conversation with DeWitt, McCloy offered his concept:

"McCloy: . . . I wonder whether it wouldn't be practicable to put into effect a withdrawal from these limited restricted zones, a withdrawal which would include not only the Japanese aliens but also Japanese citizens on the basis of excluding from a military reservation any on that you wanted to.

DeWitt: Since the announcement of the restricted areas, those aliens now in them are beginning to move out.

McCloy: Those are the aliens but I am talking to you about the citizens as well. The Japanese American citizens.

DeWitt: They are not touched by this you see.

McCloy: They wouldn't be touched by what is going on now?

DeWitt: No.

McCloy: As I understand it, you are only removing the aliens from those restricted areas.

DeWitt: That is all, that is all under the restricted areas as designated by the Attorney General is applicable only to enemy aliens.

McCloy: That is right. Now, my suggestion is that (after we have talked it over with General Gullion and Major Bendetsen) we might call those military reservations in substance, and exclude everyone - whites, yellows, blacks, greens - from the area and then license back into the area those whom we felt there was no danger to be expected from.

DeWitt: Oh, I see.

McCloy: You see, then we cover ourselves with the legal situtation is taken care of in that way because in spite of the constitution you can eliminate from any military reservation, or anyplace that is declared to be in substance a military reservation,

> anyone - any American citizen and we could exclude everyone and then by a system of permits and licenses permitting those to come back in that area who were necessary to enable that area to function as a living community. Everyone but the Japs.-"[135]

McCloy's view of the pass and license system did not include the mass evacuation that Gullion was seeking. Gullion and his assistant, Bendetsen, thought McCloy's idea unworkable. The two discussed McCloy's concept in a February 10, 1942 conversation:

> "Bendetsen: - Los Angeles where you have a large number of vital installations. If you drew around these installations protective islands, why you would soon cover the entire city anyway, you would only have a few narrow lanes in the city which were not included. It would be almost unenforceable that way.
>
> . . .
>
> Bendetsen: . . . I agree that you simply cannot, as a mechanial proposition, enforce the idea that the Secretary had, and as a measure of absolute safety, it is practically worthless.[136]

While McCloy's view envisioned only Japanese exclusion from key military areas, DeWitt's view by January 1942 was in initial agreement with Gullion's objective for the total evacuation of all aliens and all Japanese. By early February 1942, however, DeWitt's position for total evacuation began to weaken. DeWitt had attended a meeting with Governor Olson and other government officials concerning the Japanese, The meeting resulted in Governor Olson's "California Plan" which considered voluntary intrastate migration of the Japanese away from the coastal areas. DeWitt was now favoring Olson's plan and in a February 4,

1942 conversation between DeWitt and Bendetsen, DeWitt discussed his new position:

"Bendetsen: . . . In other words, General DeWitt when we come to the point of excluding Japanese citizens which I am sure we are going to have to do, from some areas at least, that is American citizens of Japanese extraction, I am sure we are going to have to do that aren't we. Well now, when we come to that, they [Justice Department] are not going to go along with us.

DeWitt: Well now in connection with that for a minute. I have just talked to Mr. Thompson from the Department of Agriculture and Mr. Clark from the Department of Justice, I mean from the Attorney General's office. . . . They said in working up the data that Governor Olson had asked them to work up to determine whether or not they were agricultural areas outside the combat zone that they could move these people to, all Japanese the Governor is for moving along and says the people are pushing him to do it, whether they are American citizens or not, to move agricultural areas away from the coast.

. . .

Bendetsen: That would just about be the eastern half of the Sacramento, San Joaquin, and the Imperial Valley.

DeWitt: Well, I told them it looked good to me but I wanted to see the exact location of each area on the map and that in principal I agreed to it, and I think that is the way it is going to come out, and if it does I think it will be satisfactory from a defense standpoint as well as from an agricultural standpoint. Mr. Clark immediately spoke up and said well if you will agree to that General, our problems are over.

. . .

DeWitt: You see the situation is this. I have never on my own initiative, recommended a mass evacuation, or the removal of any Jap other than an alien. In other words, I have made no

distinction between an alien - whether he is Jap, Italian or German, that they must all get out of the Category A area.

Bendetsen: Yes Sir, the prohibited areas.

DeWitt: The agitation to remove all Japanese away from the Coast, and some suggested out of California entirely, is within the State, the population of the State which has been a party to that but I have said 'if you do that, and can solve that problem it will be a positive step towards the protection of the coast'."[137]

With the resolve of the ground commander weakening on the issue of mass evacuation, Gullion would convince McCloy of the need for military control of the aliens on the West Coast. Secretary of War Stimson would be swayed to request this authority from the President and Gullion would compose the precise language that would became EO 9066. The War Department now had unprecedented, Presidential war powers authority and Gullion would use this authority to accomplish his mass evacuation objective. Gullion would convince Assistant Secretary McCloy to adopt his objective for total evacuation. McCloy, who enjoyed the total confidence of the Secretary of War, would further convince Stimson to proceed with the mass evacuation action.

The evacuation decision, formulated by Gullion, would be a top-down exercise from the War Department rather than a recommendation from DeWitt as the ground commander. Stimson would designate DeWitt as the

military commander and with specific instructions charge him with the implementation of the evacuation action.

To expedite the evacuation action, Gullion would send his Chief of Aliens Division, Colonel Karl Bendetsen to become a part of DeWitt's staff. Bendetsen, from this point forward, would become the focal point within the WDC to implement Stimson's February 20, 1942 instructions. Bendetsen would quickly establish military areas and with extreme efficiency, would execute within a few short months the mass evacuation of the 112,000 Pacific Coast Japanese. Later, criticism for the evacuation decision would focus on DeWitt, but it was Gullion who was the catalyst and intellect behind the evacuation decision.

Gullion, as a staff bureaucrat, effectively influenced a weak field commander whose racially antagonistic views towards the Japanese allowed for the mass evacuation to occur. While the decision for evacuation was not his own, DeWitt, as the field commander, still had to make the finding for military necessity. Gullion knew that without this justification that the evacuation of the Japanese Americans would face a constitutional challenge that could reverse the evacuation process.

Gullion's impact on DeWitt and his command was facilitated by the unpreparedness of the WDC to deal with the large resident alien and Japanese population within DeWitt's theater of operations. War with

Japan had been imminent but the WDC was less than ready to deal with the perceived Japanese threat residing on the Pacific Coast.

General Joseph Stilwill, who would distinguish himself in the China-Burma-India theater, noted the unpreparedness of the WDC. Stilwell, one of Dewitt's chief subordinates in charge of Southern California, spoke of his superior as being "kind of jittery". As time passed Stillwell would describe DeWitt as a "jackass" after receiving numerous false alarms of Japanese attacks from DeWitt's headquarters. In his diary, Stillwell would describe the WDC staff as being "amateur" and as a result wrote in his diary: "Rule: the higher the headquarters, the more important is calm."[138] Daniels writes of DeWitt's headquarters:

> "DeWitt's headquarters was anything but calm. He and his staff exuded an infectious panic that was, if anything, reflected and magnified by the rather paranoid style endemic to the American West Coast. It was from this amateurish, panic-ridden headquarters that the first military proposal for mass evacuation was developed less that seventy-two hours after Pearl Harbor."[139]

Daniels refers to DeWitt's staff believing that 20,000 Japanese residents were going to revolt in the San Francisco Bay area on the night of December 10, 1941. Action planned by DeWitt's staff was to stop the revolt by placing into custody all the Japanese in the surrounding area. Hearing of the plan, the local head of the FBI informed the WDC that their reliable source for the information was an employee who had been fired for "similar imaginings."

Despite this false alarm, DeWitt officially recommended on December 19, 1941 that: "action be initiated at the earliest practicable date to collect all alien subjects fourteen years of age and over, of enemy nations and remove them" to the interior of the United States and hold them "under restraint after removal" so they could not come back.[140] Panic within the WDC would still rule over the next several months. The public's fears would reinforce the internal Japanese threat that would be seen by the WDC as a menace where drastic action had to be taken.

If DeWitt's headquarters was unprepared to deal with the West Coast situation, the Army General Staff was totally uninvolved with DeWitt's concerns, despite the fact that the WDC was its subordinate command. DeWitt knew General George C. Marshall on a first name basis but the latter was minimally involved during the January-February 1942 period when the evacuation decision was evolving. Marshall would task his representative, General Mark Clark, to periodically keep abreast of the West Coast situation. The General Staff was either not aware, or if it was, didn't care that DeWitt was going out of normal channels in dealing directly with Gullion on the alien situation. This out-of-channnel arrangement was significant, however.

Stetson Conn, the Army's historian, related the consequences of this arrangement by saying: "the responsible Army command headquarters in Washington [that is, Chief of Staff George C. Marshall and his immdiate staff] had little to do during January and February 1942 with the plans and decisions for Japanese evacuation."[141] When DeWitt made Clark aware of the decision on February 12, 1942 Clark was totally surprised. Clark was opposed to the evacuation and officially wrote:

> "I cannot agree with the wisdom of such a mass exodus for the following reasons:

(a) 'We will never have a perfect defense against sabotage except to the expense of other equally important efforts. . . . We will never have enough of these means to fully protect these establishments. Why then should we make great sacrifices in other efforts in order to make them secure from sabotage.

(b) we must weigh the advantages and disadvantages of such a wholesale solution to this problem. We must not put our entire offensive effort tobe sasbotaged in an effort to protect all establishments from ground sabotage.

...

6. It is estimated that to evacuate large numbers of this group will require one soldier to 4 or 5 aliens. This would require between 10,000 and 15, 000 soldiers to guard the group during their internment to say nothing of the continuing burden of protecting the installations. I feel that this problem must be attacked in a sensible manner. We must admit that we are taking some chances in war. We must determine what are our really critical installations, give them thorough protection and leave the others to incidental means in the hope that we will not lose too many of them - and above all keep our eye on the ball - that is, the creating and training of an offensive army.'[142]

While Clark's opinion probably reflected the position of Marshall and the General Staff, no action was taken to stop the evacuation effort. Daniels suggests that while Clark's views represented a true military position, the West Coast evacuation was more a political decision where "The real architects of policy were the lawyers in uniform, Gullion and Bendetsen. Their most highly placed supporters, McCloy and Stimson, were two Republican, Wall Street lawyers.'[143]

Had Marshall agreed with Clark's assessment and interceded early in the chain of events, the West Coast evacuation may never have occurred. The General Staff's failure to monitor its subordinate organization enabled the bureacrats, in and out of uniform, to make political decisions at the expense of the military. This was a failure in leadership at the General Staff level. This would not happen again, however, when the President and his Cabinet would call for the mass evacuation of the Japanese from Hawaii.

The involvement of Marshall on the evacuation of the Japanese from

Hawaii was significantly different from that of the West Coast evacuation

If military necessity justified a total evacuation of the Japanese from the West Coast than military necessity and mass evacuation would be even more applicable in the case of the Hawaiian Islands. Two considerations support this conclusion: (a) the Islands were more vulnerable to external invasion and enemy naval activitiy than the West Coast, and (b) the potential for sabotage and fifth-column activity was greater in Hawaii where the Japanese population was larger. Where the West Coast Japanese population represented less than two percent of the population, the 159,534 Japanese on Hawaii represented 34.2 % of the Island population.[144]

Ironically, Lieutenant General Delos C. Emmons, the Army ground commander in Hawaii, argued against, rather than for the mass evacuation of the Hawaiian Japanese.[145] While Emmons's position was based on economic and not libertarian reasons, the fact that the Hawaiian Japanese were not evacuated calls into question the justification of military necessity that was used by DeWitt and the War Department.

On the issue of the Island evacuation of the Hawaiian Japanese true military necessity would be exercised by Emmons who would resist the efforts of the President and the Secretary of the Navy, Frank Knox. As the ground commander, Emmons was acutely aware of the impact that the evacuation of one-third of the Hawaiian population would have on the operation of the Island. From February - July 1942, Emmons emphasized the impracticability of the situation. The President and Knox continued to call for the mass evacuation of the Hawaiian Japanese but Chief of Staff Marshall interceded on behalf of his subordinate commander. In a joint

memorandum to the President, Marshall and Admiral Ernest J. King, Chief of Naval Operations, put an end to the call for Hawaiian Japanese evacuation with a strong recommendation to the contrary. As a result of the Marshall's intervention, mass evacuation was prevented and only a few Japanese were actually sent to the mainland for internment.[146]

Marshall's involvement in the Hawaiian Japanese situation was in stark contrast to the West Coast situation that resulted in the total evacuation of all Japanese. It represents an odd dichotomy in which military necessity was justified by DeWitt to execute evacuation of the West Coast Japanese threat but for Emmons it was military necessity that required the Japanese not to be evacuated from Hawaii.

The difference which prevented the evacuation of the Japanese from Hawaii was due to a stronger leadership by Emmons who based his decision of an accurate assessment of the military threat and the military situation. Marshall's support to the ground commander when the military situation required was also an influencing factor. Had Marshall been more attuned to DeWitt's situation on the West Coast, the mass evacuation of the Pacific Coast Japanese would probably not have occurred.

Of the various influences which led to the removal of the Japanese from the Pacific Coast - social, political, military - the military factor was the deciding influence. The mass evacuation was a result of a racially biased commander whose indecisiveness allowed for his easy manipulation by a staff bureaucrat within the War Department. Inadequate preparation by the WDC to deal with the perceived threat and the lack of involvement by Marshall and his General Staff also contrubuted to the forced exodus of the Japanese.

The many political and social influences that existed on the West Coast supported and reinforced the evacuation decision of the military. They provided the necessary support that allowed wartime action to be taken against a specific racial group that would not have otherwise been permitted in times of peace. By exclusion and evacuation, the military chose the most drastic action available to ensure that the perceived, West Coast Japanese threat was completely terminated. This action received the full support of the Nation eventhough it was selectively applied on a racial class basis and did not affect any of the other enemy alien groups.

CHAPTER IX

CONCLUSION

The West Coast evacuation of the 112,000 Japanese, two-thirds who were American citizens, did not have to occur. The social, political, and military environment on the Pacific Coast after the bombing of Pearl Harbor, however, made their forced exodus inevitable.

The long-standing, anti-Japanese sentiment on the West Coast and in particular, California, where the majority of the West Coast Japanese resided, was reinforced by the wartime environment and the public's concerns for its safety. It was a public fearful of an internal threat that, largely, did not exist. The threat was created, instead, by the inaccurate and irresponsible statements from public officials and by the yellow journalism of the press. The Fourth Estate with its own fears and anti-Japanese bias nurtured, rather than calmed the public's fears and this had a significant effect on West Coast political and public officials.

The political elements on the West Coast, based on their public constituency, private interest groups, or its own agenda demanded that the federal government and the military take action. The War Department would actively seek and obtain unprecedented war powers authority from the President. It would use the total authority under EO 9066 to execute its mass evacuation objective based on military necessity.

Military necessity was justified, however, by a racially biased ground commander whose decision was guided and influenced not by his higher headquarters, the Army General Staff, but by a military bureaucrat within the War Department, the Provost Marshall General. The military's action would be tested in the judiciary but it would withstand scrutiny.

The Supreme Court would rule that EO 9066 was a legitimate exercise of the President's war powers authority and would not question the military commander's decision for evacuation. It would accept, unquestionably, the military commander's determinatin of military necessity. The Court's declination to investigate the basis supporting military necessity effectively justified the forced exclusion of the West Coast Japanese and legitimized the suspension of the consititutional rights of the 71,00 American citizens of Japanese ancestry who were included in the mass evacuation.

Military necessity would be questionable, however, when the military would argue in reverse to its West Coast evacuation decision. The Hawaiian Islands were more vulnerable to an external and internal threat because of its location and larger number of Japanese residing on the Islands yet the Army would actively argue, not for, but against the mass evacuation of the Hawaiian Japanese. History would show that while military necessity was used to justify the mass evacuation action, military necessity did not exist and it was political expediency that allowed it to occur.

The President's support for the mass evacuation of only the Japanese was a result of his own racial bias towards the Japanese, his desire to maintain national unity, and his concern for the Italian and German ethnic group vote. Having no political leverage, a result of citizenship exclusion of the Issei and the non-voting ability of the youthful Nisei, the Japanese were vulnerable to adverse action, unlike their Italian or German counterparts. This latter group enjoyed political support to preclude their own exclusion and evacuation from the West Coast eventhough the military commander viewed all enemy alien groups as equal threats.

The situation of the Pacific Coast Japanese at the beginning of WWII can be summarized as a historical event involving race, place, and time The years of anti-Japanese sentiment on the West Coast before WW II made this race continually vulnerable to hostile action and WW II only heightened this vulnerability. The location, the Pacific Coast and especially California, was where the majority of the Japanese population was concentrated. This large concentration of a single racial group, whose external characteristics were easily recognizable, exagerated the perceived social and economic threat of the Japanese. The historical time period, December 7, 1941 reinforced many of the misconceptions concerning the Japanese and made it easy to identify the resident Japanese with the enemy Empire of Japan, solely because of racial characteristics.

Japanese evacuation was inevitable because political and military leadership was absent. More importantly it was because the Nation was not yet willing to acknowledge that after more than forty years, the Japanese, especially the American-born Nisei, were just as integrated into the mainstream of American life as any of the other ethnic groups with which the Nation was at war.

ENDNOTES

1. U.S. Department of the Interior, Wartime Exile: The Exclusion of the Japanese Americans from the West Coast, pp. 12-14.

2. Ibid., p. 15.

3. Bill Hosokawa, NISEI, pp. 90-91.

4. Ibid., p. 110.

5. Ibid.

6. Ibid.

7. The Gentlemen's Agreement, a series of conversations held in Washington between Secretary of State Elihu Root and Ambassador Kogoro Takahira, was to have Japan voluntarily restrict immigration by not issuing passports to skilled or unskilled labors. Japan approved immigration for farmers, but when these individuals did not have resources to operate farms independently within the US, they became laborers. When wives, by proxy, began to also arrive to the United States, Californians complained that Japan was not abiding by the letter of the agreement which only authorized nonlaborers or "laborers who, in coming to the continent, seek to resume a formerly acquired domicile, to join a parent, wife, or children residing therein."

8. Hosokawa, NISEI: The Quiet Americans, p. 111.

9. Ibid.

10. Ibid., p. 112.

11. Ibid.

12. Ibid., p. 113.

13. U.S. Department of the Army, Western Defense Command and Fourth Army: Final Report: Japanese Evacuation from the West Coast, p. 33.

14. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, pp. 399-400.

15. Ibid., p. 34.

16. U.S. Department of the Army, Western Defense Command and Fourth Army: Proclamations, Exclusions, Restrictive Orders, and Collateral Documents, Executive Proclamation 2525, p. 2.

17. Jacobus tenBroek, Edward N. Barnhart, Floyd W. Matson, Predjudice, War, and the Constitution, p. 100.

18. Hosokawa, NISEI, p. 217.

19. Ibid., p. 237.

20. U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, Japanese American Evacuation Claims, p. 331.

21. Roger Daniels, The Decision to Relocate the Japanese Americans, p. 10

22. Roger Daniels, Concentration Camps USA, p. 35.

23. U.S. Department of the Interior, Wartime Exile The Exclusion of Japanese Americans from the West Coast, pp. 101-102.

24. Roosevelt had appointed Supreme Court Justice, Owen J. Roberts to make a report on the causes of U.S. unpreparedness in Hawaii. Spies and sabatours referred to by Roberts were white agents paid by Japanese consular personnel.

25. tenBroek, Barnhart, and Matson, Prejudice, War, and the Constitution, Footnote 66, p. 351.

26. Hosokawa, NISEI, p. 264.

27. Ibid., pp. 264-265.

28. U.S. Department of the Interior, Wartime Exile: The Exclusion of Japanese Americans from the West Coast, p. 120.

29. Allan R. Bosworth, America's Concentration Camps, pp. 60-61.

30. tenBroek, Barnhart, and Matson, Prejudice, War, and the Constitution, p. 86.

31. Daniels, The Decision to Relocate the Japanese Americans, p. 22.

32. Ibid., p. 21.

33. Ibid., pp. 22-23.

34. Hosokawa, NISEI, pp. 267-268.

35. Ibid., p. 280.

36. Ibid., p. 281.

37. tenBroek, Barnhart, and Matson, Prejudice, War, and the Constitution, p. 87.

38. Hosokawa, NISEI, p. 281.

39. Daniels, The Decision to Relocate the Japanese Americans, p. 41.

40. U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, Japanese American Evacuation Claims, pp. 231-232.

41. Daniels, The Decision to Relocate the Japanese Americans, p. 40.

42. Ibid., p. 25.

43. tenBroek, Barnhart, and Matson, Prejudice, War, and the Constitution, pp. 79-80.

44. Ibid., p. 80.

45. Hosokawa, NISEI, pp. 277-278.

46. Daniels, The Decision to Relocate the Japanese Americans, p. 7.

47. Ibid.

48. Ibid., p. 18.

49. Ibid., p. 18-19.

50. Ibid., p. 18.

51. Ibid., p. 20.

52. Ibid., p. 43.

53. Ibid., pp. 71-72.

54. Roger Daniels, American Concentration Camps: A Documentary History of the Relocation and Incarceraton of Japanese Americans, Volume II, January 1 1942-February 19, 1942, Letter from Attorney General Francis Biddle to Secretary of War, February 12, 1942.

55. Daniels, The Decision to Relocate the Japanese Americans, pp. 43-44.

56. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, Collateral Documents, EO 9066.

57. Daniels, THe Decision to Relocate the Japanese Americans, p. 50.

58. Ibid., pp. 50-51.

59. U.S. Department of the Army, Final Report: Evacuation from the West Coast, p. 25.

60. Ibid., pp. 25-26.

61. Daniels, The Decision to Relocate the Japanese Americans, p. 17.

62. Ibid., p. 51.

63. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, p. vii.

64. Ibid., pp. 18-19.

65. U.S. Department of the Army, Proclaimations, Exclusions, Restrictive Orders and Collateral Documents, Public Proclaimation No. 3, p. 2.

66. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, pp. 28-29.

67. U.S. Department of the Army, Proclaimations, Exclusions Restrictive Orders and Collateral Documents, Civilian Exclusion Order No. 8. Order No. 8 is cited but the instructions on articles allowed to be taken were a part of all Exclusion Orders that provided notice to the evacuee.

68. Dillon S. Myer, Uprooted Americans, p. 43. Clothing allowances ranged from $2.00-$3.50 per month for each employed evacuee and each dependent, based upon age.

69. Ibid., Pay for the unskilled, skilled, and professional was $12.00 $16.00 or $19.00 per month, respectively.

70. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, p. 350.

71. U.S. Department of the Interior, The Relocation Program, p. 4.

72. Myer, Uprooted Americans, p. 134.

73. Daniels, Concentration Camps USA, p. 132.

74. Myer, Uprooted Americans, p. 132.

75. Ibid., p. 133.

76. Ibid., p. 65.

77. Ibid., pp. 68-70.

78. Ibid.

79. Ibid., pp. 69-70.

80. A distinction needs to be made between the Justice Department internment camps and the WRA relocation camps. The Justice Department camps housed all enemy aliens placed there after an individual review board determined their status as security risks. The WRA camps were constructed to receive the evacuated Japanese from the WDC assembly centers. The Justice Department internment camps incarcerated some 16,000 enemy aliens of all nationalities, not including consular or diplomatic personnel. The majority of internees were released or paroled except that the Japanese were released to the WRA camps.

81. Myer, Uprooted Americans, p. 70.

82. Ibid., p. 71

83. The famed 442nd Regimental Combat Team would distinguish itself in Europe. The 442nd would become known for its motto "Go for Broke" and would go down in history as the most highly decorated unit of its size and length of service. Both DeWitt and Bendetsen were opposed to the forming of an all Nisei unit.

84. Hosokawa, NISEI, pp. 358-362. The JACL held a conference in Salt Lake City, in late November, 1942, hosted by the Nisei from Utah and Idaho. Two representatives from each Relocation Center attended. The most intense issue of the conference, decided favorably, was a resolution petitioning the President for reinstatement of the Nisei into Selective Service.

85. U.S. Department of the Interior, Impounded People: Japanese Americans in the Relocation Centers, p. 99.

86. Ibid., p. 80.

87. Ibid., p. 106.

88. Ibid., pp. 112-113.

89. Myer, Uprooted Americans, p. 315.

90. U.S. Department of the Interior, Impounded People, pp. 149-150.

91. DeWitt was relieved as the Commander, WDC in September 1943. DeWitt was replaced by Lieutenant General Delos C. Emmons, the Commander on Hawii who had also replaced General Walker C. Short, shortly after Pearl Harbor was attacked.

92. Myer, Uprooted Americans, pp. 87-88. The WRA had been a part of the Department of Agriculture but later became a part of the Department of the Interior by EO 9423, signed February 16, 1944.

93. Ibid., pp. 177-178.

94. Ibid., pp. 178-179.

95. Ibid., pp. 198-201.

96. Myer, Uprooted Americans, pp. 88-89. PL 405 was signed by the President on July 1, 1944. This law was aimed specifically at the residents of Tule Lake to give these evacuees the opportunity to renounce their U.S. citizenship. The objective of the law was to provide a mechanism for US citizens to renounce their citizenship during time of war and by doing so would allow the Department of Justice to intern undesireables in the DOJ internment camps.

97. Myer, Uprooted Americans, p. 339.

98. U.S. Department of the Interior, The Wartime Handling of Evacuee Property, p. 108.

99. tenBroek, Barnhart, and Matson, Prejudice, War and the Constitution, p. 212.

100. Daniels, Concentration Camps USA, p. 135.

101. Ibid., p. 136.

102. Myer, Uprooted Americans, p. 262.

103. Ibid., pp. 262-263.

104. Ibid., p. 263.

105. Ibid., pp. 263-264.

106. Ibid., p. 264.

107. Ibid., p. 265.

108. Ibid., pp. 265-266.

109. Ibid., pp. 268-270.

110. Ibid., p. 270.

111. tenBroek, Barnhart, and Matson, Prejudice, War, and the Constitution, pp. 220-221.

112. Lillian Baker, American and Japanese Relocation in World War II, Fact, Fiction, & Fallacy, p. 183.

113. U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, Japanese American Evacuation Claims, p. 35.

114. Lloyd E. Chiasson, Jr., An Editorial Analysis of the Evacuation and Encampment of the Japanese During World War II, p. 182.

115. Ibid., pp. 189-190.

116. U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, Japanese American Evacuation Claims, p. 35.

117. Daniels, Concentration Camps USA, p. 82.

118. Ibid., pp. 81-82.

119. U.S. Department of the Interior, Impounded People: Japanese Americans in the Relocation Centers, p. 10.

120. Hosokawa, NISEI, pp. 279-280.

121. Ibid., pp. 287-288.

122. Ibid., p. 276.

123. tenBroek, Barnhart, and Matson, Prejudice, War, and the Constitution, pp 357-358.

124. Hosokawa, NISEI, p. 279.

125. Ibid

126. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, p. 126.

127. Ibid., p. vii.

128. Daniels, The Decision to Relocate the Japanese Americans, p. 97.

129. U.S. Department of the Army, Final Report: Japanese Evacuation from the West Coast, p. 35.

130. Daniels, The Decision to Relocate the Japanese Americans, p. 81.

131. Ibid., p. 14.

132. U.S. Department of the Interior, Wartime Exile: The Exclusion of Japanese Americans from the West Coast, pp. 152-153.

133. Daniels, Concentration Camps USA, pp. 71-72.

134. Daniels, American Concentration Camps, Volume II, Transcript of telephone conversation between General Mark Clark and General Allen Gullion, February 4, 1942.

135. Daniels, The Decision to Relocate the Japanese Americans, pp. 98-99.

136. Daniels, American Concentration Camps, Volume II, Transcript of telephone conversation between General Gullion and Colonel Bendetsen, February 10, 1942.

137. Daniels, The Decision to Relocate the Japanese Americans, pp. 101-102.

138. Ibid., p. 15.

139. Ibid.

140. Ibid.

141. Daniels, Concentration Camps USA, p. 44.

142. Ibid., p. 67-67.

143. Ibid., p. 67.

144. Paul F. Gerhard, The Plight of the Japanese Americans During World War II: A Study of a Group Prejudice, Its History and Manifestations, p. 6. Of the 159,534 Japanese on Hawaii, 35,133 were aliens.

145. Lieutenant General Emmons replaced General Walker C. Short just after the bombing of Pearl Harbor. Martial law had been imposed immediately after the bombing and curfew restrictions went into affect but it applied to all residents. A public announcement was made that no harm would come to the resident Japanese so long as subversive activity did not occurr.

146. Daniels, The Decision to Relocate the Japanese Americans, p. 70. The joint memorandum called for a maximum number of 15,000 Japanese to be evacuated from the Islands to the mainland. Only 1,118 were evacuated, the majority of which went to the Jerome WRA relocation center. Four major moves of evacuees occurred between December 23, 1942 and March 14, 1943.

BIBLIOGRAPHY

Arrington, Leonard J. The Price of Prejudice. Utah State University. The Faculty Association, 1962.

Baker, Lillian. The Concentration Camp Conspiracy. Lawndale: Afha Publications, 1981.

Baker, Lillian. American and Japanese Relocation in World War II, Fact, Fiction & Fallacy. Medford: Webb Reserch Group, 1990.

Bosworth, Allan R. America's Concentration Camps. New York: W W Norton & Company Incorporated, 1967.

Chiasson, Lloyd Ernest, Jr. An Editorial Analysis of the Evacuation and Encampment of the Japanese Americans During World War II. Ann Arbor: University Microfilms International, 1989.

Conrat, Maisie & Richard. Executive Order 9066, Los Angelos: California Historical Society, 1972.

Daniels, Roger. American Concentration Camps, Vol. 2. New York & London: Garland Publishing, 1989.

Daniels, Roger. American Concentration Camps, Vol. 3. New York & London: Garland Publishing, 1989.

Daniels, Roger. Concentration Camps USA, New York: Holt, Rinehart and Winston Incorporated, 1972.

Daniels, Roger. The Decision to Relocate the Japanese Americans. New York: J.B. Lippincott Company, 1975.

Gerhard, Paul F. "The Plight of the Japanese Americans During World War II" University of Wichita Bullitin. No. 57, November 1963.

Hosokawa, Bill. NISEI. New York: William Morrow and Company Incorporated, 1967.

Kitagawa, Daisuke. Issei and Nisei. New York: The Seabury Press Incorporated, 1967.

Myer, Dillon S. Uprooted Americans. Tucson: The University of Arizona Press, 1971.

Nishimoto, Richard S. The Spoilage. Berkley & Los Angelos: University of California Press, 1946.

tenBroek, Jacobus; Barnhart, Edward N; Matson, Floyd W. Predjudice, War and the Constitution. Berkely and Los Angelos: University of California Press, 1968.

U.S. Congress. House. Committee on the Judiciary. Subcommittee No. 5. Japanese American Evacuation Claims. Hearings, 83rd Congress, 2nd Session. Washington: Government Printing Office, 1954.

U.S. Department of the Interior. Community Government in War Relocation Centers. Washington: Government Printing Office, 1945.

U.S. Department of the Interior. The Evacuated People. A Quantitative Description. Washington: Government Printing Office, 1946.

U.S. Department of the Interior. Impounded People: Japanese Americans in the Relocation Centers. Washington: Government Printing Office, 1946.

U.S. Department of the Interior. The Relocation Program. Washington: Government Printing Office, 1946.

U.S. Department of Interior. War Time Exile: The Exclusion of the Japanese Americans from the West Coast. Washington: Government Printing Office, 1946.

U.S. Department of Interior. Legal and Constitutional Phases of the WRA Program. Washington: Government Printing Office, 1946.

War Relocation Authority. First Quarterly Report. Washington: Government Printing Office, 1942.

U.S. Department of the Army. Western Defense Command and Fourth Army. Final Report: Japanese Evacuation from the West Coast. Washinton: Government Printing Office, 1943.

U.S. Department of the Army. Western Defense Command and Fourth Army. Proclamations Exclusions Restrictive Orders and Collateral Documents. San Francisco: 1942.