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Incarceration of the Japanese Americans: A Sixty-Year Perspective

Roger Daniels

University of Cincinnati

I FINISHED THE ORIGINAL VERSION of this essay in late August 2001.¹ In the aftermath of September 11th it became clear to me that something else had to be added. Although I do not believe, as many do, that everything changed or that there are many parallels with December 7, 1941, there are some obvious similarities and differences. The 1982 report of the presidential Commission on Wartime Relocation and Internment of Civilians found that three “broad historical causes” shaped the wartime incarceration of Japanese Americans:² “race prejudice, war hysteria, and a failure of political leadership.” It is clear that today prejudice and hysteria are again all too present, but, at the top at least and beginning from the oval office, there has been a clear distinction between “Arab/Muslim terrorists” and “Arab Americans.” It also became clear to me, despite cynics who insist that we never learn from history, that a heightened awareness of what was done to Japanese Americans almost sixty years ago, has had a sobering effect on today’s policy makers. We can credit some of this to the long chain of scholarship that stretches back to Eugene V. Rostow’s courageous 1945 articles,³ and to the Japanese American activists who finally got an apology and symbolic compensation for their wartime ordeal from the government in 1990.

However, we should not be overly congratulatory yet. It must be noted that, however tolerant the words at the top have been—and words do

matter—they have not filtered down the chain of command. More than a thousand of the “usual suspects”—persons who look like the enemy—were detained but not charged immediately. Six months later about half were still in custody, uncharged and, in many cases, unidentified. Whether any of them are citizens, we do not yet know. Even more disturbing, in some ways, have been the actions, to the best of my knowledge totally unrebuked by authority, of airline and government personnel in barring or reseating passengers who were or looked “Middle Eastern.” Here is the gleeful testimony of Peggy Noonan, last heard from when she celebrated what she thought was the Reagan revolution, in the *Wall Street Journal* of October 19:

In the past month I have evolved from polite tip-line caller to watchful potential warrior. And I gather that is going on with pretty much everyone else, and I'm glad of it. I was relieved at the story of the plane passengers a few weeks ago who refused to board if some Mideastern looking guys were allowed to board. I was encouraged just last night when an esteemed journalist told me of a story she'd been told: Two Mideastern-looking gentlemen, seated together on a plane, were eyeballed by a U.S. air marshal who was aboard. The air marshal told the men they were not going to sit together on this flight. They protested. The marshal said, move or you're not on this flight. They moved. Plane took off... I think we're going to require a lot of patience from a lot of innocent people.... And you know, I don't think that's asking too much. And when it's not given, I think we should recognize that as odd.

Even more disturbing than the blatherings of this typewriter warrior is the fact that the cabinet officer responsible for aviation, Secretary of Transportation Norman Mineta, himself a child victim of wartime incarceration who tells how he went off to the Assembly Center for detention dressed in his Cub Scout uniform, has done nothing about such actions, at least not in public.

So much for the present. I turn now to the subject of this paper. Since mid-2000 there has been a memorial in a small park near the national Capitol. It consists of a fifteen-foot sculpture of two cranes—one struggling to fly through barbed wire and the other soaring above it—a bell tower, a rock garden, and cherry trees. The monument memorializes both the 120,000 Japanese Americans who were kept in concentration camps by their own government during World War II and the 26,000 who served in the United States Army in the same war.⁴ The erecting of this memorial was yet another event stemming from what was once a little-remarked American war crime but is now noted and decried in almost every college level textbook. I am going to try to connect those two events—the

wartime incarceration of the Japanese Americans and our contemporary regret for that action—in a narrative that will also try to answer the most difficult kind of question that a historian can ask: How does change occur? How did it come about that what had been a popular wartime action, and which in the immediate post-war decades was written off as a wartime “mistake,” is now viewed as a serious betrayal of democratic ideals and one for which the American government has officially apologized and paid compensation?

My strategy will be two-fold. I will first outline the status of Japanese Americans on the eve of Pearl Harbor, sixty years ago, and indicate how they were deprived of their liberty. Then I will note the various stages through which the reevaluation of the incarceration of the Japanese Americans has passed to assume its present place in the historical canon.

In December 1941 there were about 130,000 persons of Japanese birth or ancestry living in the continental United States and another 150,000 in Hawai'i, then a territory.⁵ About seventy percent were native-born American citizens, but their parents, who had immigrated from Japan in the years before 1925, had been, by law, ineligible for naturalization because of their race and ethnicity. Other discriminations against immigrants from Japan included their being barred, by state laws and local ordinances, from entering many trades and professions, and from owning agricultural land. Japanese Americans—whether alien or citizen—were prevented, in many states, from marrying persons of other races, from residing where they wished, from attending the schools they preferred, and from obtaining equal accommodations in public places.

Yet, almost all academic observers agreed that the growing citizen generation born in the United States—which was just beginning to come of age as the 1940s began—was showing remarkable progress. Most young Japanese Americans seemed to be hyper-patriotic, as the creed, written by Mike Masaoka, of the major community organization, the Japanese American Citizens League, demonstrated:⁶ “I am proud that I am an American citizen of Japanese ancestry,” it began, later noting that “although some individuals may discriminate against me, I shall never become bitter or lose faith” and ending with a pledge to “become a better American in a greater America.” As war clouds gathered in the Pacific, however, Japanese Americans, even more than most other Americans, worried not about their own security and liberties but, for good reason, about what might happen to their parents.

Although the particular nature of the attack on Pearl Harbor, and the overwhelmingly successful Japanese offensive across the Pacific and in Southeast Asia came as a shock to American military and civilian leaders, the government had long expected a Japanese-American war. For the

United States Navy in particular, Japan had been “the most probable enemy” since it had defeated Czarist Russia in 1905. American intelligence agencies, military and civilian, had also made pre-war plans to intern selected enemy aliens. In proclamations issued on December 7th and 8th President Franklin Roosevelt declared that, under the authority of sections 21-24 of Title 50 of the United States Code, “all natives, citizens, denizens, or subjects of [Japan, Germany, and Italy], being of the age of fourteen years and upward, who shall be in the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies.”⁷ Because 695,363 Italians, 314,715 Germans, and 91,858 Japanese had registered under the Alien Registration Act of 1940,⁸ the proclamations created about a million “alien enemies.”

The Roosevelt administration never intended to intern any sizable percentage of those million alien enemies. Attorney General Francis Biddle, a civil libertarian of sorts, and his staff in the Department of Justice wanted a minimal program and were aware of the gross injustices suffered by German and Italian resident aliens in Great Britain. In preparation for war various federal security agencies, military and civilian, had prepared Custodial Detention Lists, better known as the “ABC Lists,” master indexes of persons who were, allegedly, subversives. The “A” list consisted of persons identified as “known dangerous” aliens; the “B” list contained individuals who were “potentially dangerous”; and the “C” list was composed of people who “merited surveillance” due to pro-Axis sympathies or propaganda activities. As is common for internal security lists, these were mainly based not on investigations of individuals, but on “guilt by association,” as most of the names came from membership rolls of organizations and subscription lists of publications deemed subversive.

It is not yet possible—and may never be—to give precise figures, but the best “guesstimate” of the total number of resident “alien enemies” actually interned under Roosevelt’s order of December 7th and 8th is something under 11,000 persons, about one percent of the total number of enemy aliens. By ethnicity some 8,000 Japanese, 2,300 Germans, and a few hundred Italians were actually interned.⁹ Many more—largely Germans and Italians—were arrested and held in custody for days and even weeks without being officially interned. Note that these figures amounted to about twelve percent of alien Japanese, about six/tenths of one percent of alien Germans, and less than one-one hundredth of one percent of alien Italians.¹⁰

Although there was undoubtedly much injustice in the internment program, the process followed the legal forms and each person interned

was entitled to an individual hearing which resulted, in many instances, in release from internment. In addition, most of the internment camps, run by the Immigration and Naturalization Service, were in relatively habitable buildings, and treatment was largely in accordance with the Geneva Conventions.¹¹

However what happened to the rest of the west coast Japanese Americans—what is usually called, erroneously, the “internment” of the Japanese Americans—was simply a lawless exercise of power by the executive branch, even though it had a preliminary indulgence from Congress and received after-the-fact absolution from the Supreme Court.

The distinction I am making here—the difference between “internment” and “incarceration”—is more than just a scholar’s quibble.¹² What you call things is very important and the history of the treatment of the Japanese Americans is filled with euphemisms. The government called the concentration camps to which most mainland Japanese were sent “Assembly Centers” and “Relocation Centers.” The army, rarely referred publicly to Japanese American citizens, but called them, instead, “non-alien.” The agency created to supervise the concentration camps was named the War Relocation Authority. Although Franklin Roosevelt was willing to call the camps what they were—concentration camps—in press conferences, American officialdom has resisted this usage, particularly after the details of the Holocaust became public knowledge in 1945. And the reluctance continues. Three years ago, the Superintendent of Ellis Island initially refused to allow an exhibit about the wartime fate of Japanese Americans to be shown there unless the offending words—concentration camps—were removed from its title. Happily her superiors in the National Park Service overruled her decision. To be sure, the American camps were relatively humane places: they were not death camps. Many more persons were born in them than died in them. But, unlike internment, which was based, however inaccurately, on something the individual did or was supposed to have done, the incarceration of Japanese Americans was based on birth or ancestry plus—and this is important—where they happened to be living in March 1942.

Although the incarceration was supposedly based on military necessity, what the government did NOT find it necessary to do was to incarcerate Japanese Americans who did not live in California, Alaska, the western halves of Washington and Oregon, and a small portion of Arizona. This meant that a few thousand mainland Japanese Americans, both alien and citizen, lived in nervous liberty throughout the war. Most significant of all, the 150,000 Japanese in the Hawai’ian Islands, were left almost totally at large. Some politicians—Secretary of the Navy Frank Knox in particular—wanted all of them locked up, but they were

too important to the islands' economy. The government insisted that 90,000 Japanese in California, which had almost seven million people, were a threat, but that 150,000 Japanese in Hawai'i, where every third person was Japanese, were not a threat. And Hawai'i, of course, was an actual seat of the war and, until the American victory at Midway in June, 1942, was a potential invasion target.

Why did the government abandon its relatively modest internal security program and, over the mild protests of the Department of Justice, decide to spend millions of dollars and, even more important, use a great deal of man and woman power to incarcerate a productive portion of the west coast population? The answer, of course, is racism, but the process is instructive.

A combination of pressures from west coast politicians, the press and radio, a panic-ridden west coast commander in San Francisco's Presidio, and a few crucially placed military bureaucrats and their civilian superiors, manipulated public opinion to create pressures that were difficult for a democratic government to resist. The crucial decision came in mid-February 1942. Franklin Roosevelt, in a telephone conversation from the oval office, authorized his Republican Secretary of War, Henry L. Stimson, to do "whatever was necessary." And, as Stimson reported it to his subordinates, FDR's only caveat was—"be as reasonable as you can."

On February 19th, 1942—the real date of infamy as far as the constitution is concerned—our greatest modern president signed Executive Order 9066. It mentioned no group by name but delegated power to the Secretary of War to "prescribe military areas...from which any or all persons may be excluded" and authorized him "to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter and other accommodations as may be necessary." All this was done because "the successful prosecution of the war requires every possible protection against espionage and sabotage to national defense material...premises and utilities."

Under color of this administrative fiat about 110,000 civilian Japanese Americans, men, women and children—not just the "fourteen years and upward" of the internment statutes—more than two-thirds of them native-born American citizens, were rounded up and shipped to ten American concentration camps in godforsaken places where no one has lived before or since: Manzanar and Tule Lake, California; Poston and Gila River, Arizona; Topaz, Utah; Amache, Colorado; Heart Mountain, Wyoming; Minidoka, Idaho; and Rohwer and Jerome, Arkansas. Unlike persons sent to internment camps, there were no hearings or appeal processes for them. If they were of Japanese birth or ancestry—members of what most Americans had learned to regard as an "enemy race"—they had to go.

Although this process was created in the executive branch, Congress both appropriated money and passed a statute creating a new federal crime: disobeying an order issued by a military commander without martial law being declared. This was introduced and passed in one day by both houses of Congress without a single dissenting vote although one senator, Ohio's Robert A. Taft, called it the sloppiest criminal law he had ever seen, but didn't vote against it. There was no substantial protest. The national American Civil Liberties Union refused to challenge it until the following year. Of organized political groups only the Trotskyist Socialist Labor Party formally objected. A few individual radical leaders—most notably Norman Thomas, A.J. Muste, and Dorothy Day—protested as did a number of religious leaders, many of them former missionaries in Asia. No major religious denomination objected, but the Quakers did.

Nor was there massive resistance from Japanese Americans. The Japanese American Citizens' League not only cooperated with the government as part of a strategy of accommodation that had, eventually, positive results, but the organization also opposed, viciously, those few Japanese Americans who resisted. Many felt that, in the long run, the Supreme Court would reverse the process. Thus just a handful of individuals, without significant organizational support, instituted legal actions. Their faith in American justice was misplaced, however. In three horrendous decisions—*Hirabayashi* in 1943, *Korematsu* and *Endo* in December 1944—the court certified what the government had done as constitutional, a process that Justice Frank Murphy described as a "legalization of racism."¹³

I want to shift now from the perpetrators to the victims. The wartime exile and incarceration is the transcendent event of Japanese American history. As noted, the camps for Japanese were not death camps: there was no final solution in America. But the wartime exile of the west coast Japanese was surely an American attempt at ethnic cleansing. In some ways the concentration camps for Japanese resemble nothing else in American history more closely than Indian reservations. In fact, the two camps in Arizona were on Indian reservations, much to the distress of the Indians who saw them as another land grab. Although the impression is often given that Japanese were sent off to camps right after the Pearl Harbor attack, no incarceration took place before April, 1942. Not until the fall of 1942—nearly a year after Pearl Harbor—was the West Coast cleansed of non-institutionalized ethnic Japanese.

Before that happened, however, Japanese American citizens were subjected to an escalating series of limitations on their liberty. Hours after Pearl Harbor bank accounts of alien enemies were frozen, and since most Japanese American family heads were aliens, this affected the entire

community. At the same time they were forbidden to leave the country. At the end of December, Attorney General Biddle authorized warrantless searches of any home in which an alien enemy lived, which subjected both aliens and citizens to a repeated series of random raids that amounted to terrorism. By March 27th, the Army had instituted a dusk to dawn curfew for all enemy aliens and "persons of Japanese ancestry" on the West Coast and ordered that even outside of curfew hours "all such persons shall only be at their place of residence or employment or traveling between those places or within a distance of not more than five miles from their place of residence." These regulations were not generally enforced against white enemy aliens. Many Chinese Americans took the precaution—for some it was an opportunity—of wearing buttons identifying themselves as Chinese. And on March 29, all Japanese were forbidden to leave west coast military areas. It had previously been possible to leave with a permit during daylight hours. Clearly the military's noose was closing on the west coast Japanese.

Imagine yourself one of several thousand Japanese American college students. Like most of your fellows you are enrolled in a public institution on the West Coast. Universities were one of the friendliest environments for Japanese Americans. Except at the private University of Southern California, administrations were sympathetic, but even on friendly campuses racism could turn ugly. At the University of California in Berkeley some faculty insisted that Japanese students drop their classes and at the university's Los Angeles campus one professor of Chinese history made vicious statements about American Japanese and testified that none could be trusted. Many students dropped out, or failed to return after Christmas, but most stayed on. However the Army arranged it so that locations of major universities were cleansed before the end of the academic year and seniors were not able to participate in graduation. Most universities awarded them diplomas: Robert Gordon Sproul at Berkeley noted their absence and said that "their country has called them elsewhere." The University of Washington's president, L.P. Sieg even held a special commencement in the temporary camp at nearby Puyallup for the Japanese American seniors at his institution. Even more important was the lobbying that Sproul and other university presidents did to help inaugurate a program of quick release for some college students to enter colleges and universities in the Midwest and East. Some students were released from camps to attend college in time for the Fall 1942 semester and, eventually, several thousand students from camps were able to attend college.¹⁴

One Japanese American college student, Gordon K. Hirabayashi who was a sociology major at the University of Washington, decided to resist.

Initially he obeyed all the regulations, including curfew. Because he lived in a YMCA adjacent to the campus he could stay in the library only until a few minutes before 8 p.m. But one evening it occurred to him that, as an American citizen, he shouldn't have to go home when others could stay and study. So he stayed until fairly late that night and then went home. Nothing happened, so he continued to ignore the curfew. Then he decided to challenge the whole system. He went to a police station after curfew and asked to be arrested. The police told him to go home. Frustrated, but determined, he eventually called the FBI, who arrested him. Before that he had arranged for a local attorney to represent him. The national American Civil Liberties Union initially agreed to handle the case but soon reneged. Some Seattle ACLU members and Quakers did support him. He was quickly convicted in a local federal court. His case, *Hirabayashi v. United States*, reached the Supreme Court in June 1943. The Court ruled, unanimously, that the curfew—which singled out citizens of Japanese ancestry for special treatment—was constitutional.¹⁵

While Gordon was in jail the rest of the west coast Japanese were sent off to concentration camps. Although the new government agency, the WRA, did its best to make these camps livable, that was a difficult task. Eventually more than 120,000 Japanese persons, men, women, and children, aliens and citizens, were confined, some for almost four years. They had committed no crime. They were guilty only of having been born in Japan or having parents, or in a few cases, grandparents who were.

I turn next to the rehabilitation of the image of Japanese Americans. It began even during the war. Once the government decided, publicly, to use Japanese American soldiers, its propaganda machine began to crank out stories about Japanese American patriotism and valor. Some medals were posthumously awarded to surviving Japanese American parents by General Joseph W. Stilwell, an authentic war hero, sometimes accompanied by a movie star in uniform named Ronald Reagan. In July 1946 Roosevelt's successor, Harry S. Truman, who as a senator had silently acquiesced in the incarceration, held a special ceremony on the Ellipse behind the White House for the survivors of the 442nd Regimental Combat Team. He told them that they had "fought not only the enemy, but [also] prejudice—and you have won." In 1948 Truman sent Congress a ten-point civil rights message whose last three points were of special concern to Japanese Americans. Point eight called for Hawaiian (and Alaskan) statehood, nine for dropping racial bars in naturalization, and ten for providing some compensation for economic losses Japanese Americans had sustained when they were forced to abandon their property. The President reported that "more than one hundred thousand Japanese-Americans were evacuated from their homes in the Pacific

states solely because of their racial origin”—he made no mention of the fictitious “military necessity”—and urged Congress to pass legislation which was already before it. On July 2, 1948 Truman signed the Japanese-American Claims Act which appropriated thirty-eight million dollars to settle all property claims, a figure which almost all commentators now agree was not nearly enough.¹⁶ Full equality in naturalization was achieved in the 1952 McCarran-Walter immigration act which ended all overt ethnic and racial discrimination in naturalization and voided many state anti-Japanese statutes by ending the category “aliens ineligible to citizenship.” At the end of the Eisenhower administration, in 1959, Hawai’i became a state. When it did, Asian Americans had instant clout in Washington because Asian Americans were elected to both houses of Congress.

In the turbulent 1960s the combined effects of Lyndon Johnson’s Great Society programs and the eventual rejection of the misbegotten war in Vietnam contributed to a climate of opinion in which the acts of the 1940s could be reconsidered. In 1976 on the 34th anniversary of FDR’s Executive order 9066, President Gerald R. Ford issued a proclamation revoking that order. In the process he said: “We now know what we should have known then—not only was [the] evacuation wrong, but Japanese-Americans were and are loyal Americans.”¹⁷ At about the same time a few activists in the Japanese American community began to talk about getting the entire government not only to recognize that a great wrong had been done, but to provide some tangible redress. At the end of the Carter administration a federal commission was created to investigate whether any wrong had been committed and, if so, to recommend a remedy. That Commission reported, in 1983, that¹⁸

The promulgation of Executive Order 9066 was not justified by military necessity, and the decisions that followed from it—detention, ending detention and ending exclusion—were not driven by analysis of military conditions. The broad historical causes which shaped these decisions were race prejudice, war hysteria and a failure of political leadership.

The Commission recommended both a formal apology and a one-time, tax-free payment of \$20,000 to each survivor. After five years of debate the recommendations of the Commission were enacted as the Civil Liberties Act of 1988, although payments did not begin until 1990. Eventually payments were made to 81,974 individuals, at a direct cost to the government of \$1,639,480,000. For most Japanese Americans and many others, this has brought a kind of closure for the events of 1942.

A question remains. Could something like this happen again? Could another combination of racial or ethnic prejudice, hysteria, and a failure

of political leadership produce another “mistake,” another set of concentration camps? Or was what happened to Japanese Americans, as George H.W. Bush wrote in his letter of apology to concentration camp survivors, something that “will never be repeated”?¹⁹ Prediction is not the historian’s primary task, but those of us who study the past have learned that although the precise circumstances which trigger any specific historical action are unique, similar forces acting within a society can produce similar results. Racist and xenophobic forces still exist in American (and most other) societies. Rather than trying to imagine what such future crises might be, I will note several separate occasions since the end of World War II in which the United States has seemed to be on the verge of effecting mass incarceration.

At the height of the Cold War, Congress passed the Emergency Detention Act of 1950 which authorized the president to issue an executive order declaring an “Internal Security Emergency” and appointing the Attorney General to “apprehend and...detain...each person as to whom there is reason to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or espionage.” It also provided for the creation of stand-by concentration camps. This law was deliberately modeled on the procedure, upheld by the Supreme Court, used against the Japanese Americans.²⁰

Every recent American administration has at least considered some kind of massive incarceration of individuals. During the hostage crisis growing out of the seizure of the American embassy in Teheran the Carter administration took preliminary steps against Iranians—mostly college students—living in the United States. When the Immigration and Naturalization Service’s filing system proved so chaotic that it could not provide the White House with even approximate numbers, no less names and addresses, the administration instructed the nation’s colleges and universities to provide them and most complied. Happily, no mass incarceration resulted. There was also sporadic mob violence against Iranians.

The Reagan administration caused the detention of large numbers of illegal Haitian immigrants while welcoming illegal Cubans with open arms. However some of the worst aspects of the Haitians’ mistreatment were modified by federal judges who, in this instance, were unconstrained by a wartime crisis. Partly to avoid both federal courts and immigration lawyers the Bush administration set up a camp for Haitian refugees inside the American military base at Guantanamo Bay, Cuba, a policy the Clinton administration continued and used for Cubans as well.

The first Bush administration, just before and during the brief hostilities in the Persian Gulf in 1990-1991, had some of its agents interrogate Arab American leaders, both citizen and alien. When spokespersons for

Arab communities and some civil liberties organizations protested, the interrogations were stopped. To justify its actions the government made the lame excuse that the federal agents were only trying to protect those whom they had questioned. And there was sporadic violence against Arab American individuals and businesses.

These pre-September 11th events, spread across nearly half a century, do not amount to very much when compared to what was done to Japanese Americans. But, similarly, no crisis comparable to World War II had occurred. All of these instances were violations of the spirit of the Constitution and they did happen even in a society in which both racial prejudice and xenophobia had been reduced. What might have happened had they been accompanied by some great crisis or outrage—suppose, for example, that Iran had decided to execute the American hostages on television—is frightening to contemplate. But these “minor” events do demonstrate an on-going American propensity to react against “foreigners” in the United States in times of crisis, especially when those foreigners have dark skins. Despite the amelioration of American race relations, there are still huge inequities between whites and persons of color, and potentially explosive emotions exist in both the oppressing and the oppressed populations. While optimists claim that American concentration camps are a thing of the past—and I certainly hope that they are—many Japanese Americans, the only group of citizens ever incarcerated *en masse* because of their genes, would argue that what has happened in the past could happen again. This student of Japanese American history can only agree with them.

Notes

1. Originally presented at a conference at Keene State College on Nov. 9, 2001. I thank the organizers for the opportunity and their many courtesies. An earlier, undocumented version appeared in the *Chronicle of Higher Education*, “Detaining Minority Citizens, Then and Now.” (February 15, 2002, pp. B10-11).

2. Commission on the Wartime Relocation and Internment of Civilians. *Personal Justice Denied*. Washington: GPO, 1982, p. 18. (Hereafter CWRIC).

3. Eugene V. Rostow, “The Japanese American Cases—A Disaster.” *Yale Law Journal* 54:489-533 (July 1945) and “Our Worst Wartime Mistake.” *Harper’s* 191:193-201 (August, 1945).

4. A quotation from Mike Masaoka, cited below, which is part of the memorial, has been controversial within the community.

5. Much of the following narrative is from three earlier treatments by me: *Concentration Camps, USA: Japanese Americans and World War II*. New York: Holt, Rinehart

and Winston, 1972; *Asian America: Chinese and Japanese in the United States since 1850*. University of Washington Press, 1988; and *Prisoners Without Trial: Japanese Americans in World War II*. New York: Hill and Wang, 1993.

6. Written sometime in 1940 it was inserted in the *Congressional Record* for May 9, 1941, p. A2205.

7. Presidential Proclamations No. 2525-2527, Dec. 7-8, 1941.

8. 54 Stat. 670.

9. See John Joel Culley. "The Santa Fe Internment Camp and the Justice Department Program for Enemy Aliens," pp. 57-71 in Daniels, et al., *Japanese Americans: From Relocation to Redress*. Salt Lake City: University of Utah Press, 1986 and Max Paul Friedman, "Nazis and Good Neighbors: The United States Campaign against the Germans of Latin America in World War II." Ph.D. dissertation, University of California, Berkeley, 2000. My own analysis is "L'Internamento di "Alien Enemies" negli Stati Uniti durante la seconda guerra mondiale," in *Acoma: Rivista Internazionale di Studi Nordamericani* (Rome) 11 (Estate autunno 1997): 39-49.

10. Some recent authors have attempted, inappropriately, to parallel the highly selective internment of German and Italian aliens with the mass incarceration of the west coast Japanese Americans. See Lawrence DiStasi, ed. *Una Storia Segreta: The Secret History of Italian American Evacuation during World War II*. Berkeley, CA: Heyday Books, 2001; Arnold Krammer, *Undue Process: The Untold Story of America's German Alien Internees*. Lanham, MD: Rowman & Littlefield, 1997; and Timothy J. Holian, *The German-Americans and World War II: An Ethnic Experience*. NY: Lang, 1996, Perhaps the most meretricious is Stephen Fox, *America's Invisible Gulag: A Biography of German American Internment and Exclusion of World War II—Memory and History*. New York: Peter Lang, 2001. For a brief, sober view see Peter S. Sheridan, "The Internment of German and Italian Aliens Compared with the Internment of Japanese Aliens in the United States during World War II: A Brief History and Analysis." *CWRIC Microfilm Reel 24*: 816-7. Kay Saunders and Roger Daniels, eds. *Alien Justice: Wartime Internment in Australia and North America*. St Lucia, Qld.: Queensland University Press, 2000, is a comparative analysis. For a bizarre example of government "history" in response to congressional pressure, see *Report to the Congress: A Review of the Restrictions on Persons of Italian Ancestry During World War II* (11/30/2001) produced to comply with Wartime Violation of Italian American Civil Liberties Act most conveniently consulted on the web site of the Civil Rights Division of the Department of Justice, <http://www.usdoj.gov/crt/spectop.html>

11. Louis Fiset. *Imprisoned Apart: The World War II Correspondence of an Issei Couple*. Seattle: University of Washington Press, 1998 is an outstanding account of an atypical internee.

12. I treat this problem at length in an essay, "Words Do Matter: A Note on Inappropriate Terminology and the Incarceration of the Japanese Americans" which will appear in a volume tentatively titled "(Dis)Appearances: Japanese Community in the Pacific Northwest" to be edited by Louis Fiset and Gail Nomura and published by the University of Washington Press.

13. 320 *US* 81 (1943); 323 *US* 214 (1944); and 323 *US* 283. For *Korematsu*, see my "*Korematsu v. U.S.* Revisited: 1944 and 1983," in Annette Gordon-Reed, ed. *Race on Trial: Law and Justice in American History*. New York: Oxford University Press, 2002.

14. Gary Okihiro. *Storied Lives: Japanese American Students and World War II*. Seattle: University of Washington Press Washington, 1999. Allan W. Austin. "From Concentration Camp to Campus: A History of the National Japanese American Student Relocation Council, 1942-1946," Ph.D. diss., University of Cincinnati, 2001.

15. My oral history interview with Hirabayashi is available in the University Archives, University of Washington, Seattle.

16. The best account is Nancy N. Nakasone-Huey. "In Simple Justice: The Japanese American Evacuation Claims Act of 1948". Ph.D. diss., University of Southern California, 1986.

17. Presidential Proclamation 4417, Feb. 19, 1976.

18. CWRIC. *Personal Justice Denied*. Washington, DC: GPO, 1982, p. 18. An expanded University of Washington Press reprint edition (1997) is in print.

19. The letter is reproduced in my "Redress Achieved, 1983-1990," pp. 219-223 at 222 in Daniels, Sandra C. Taylor, and Harry H.L. Kitano, eds. *Japanese Americans: From Relocation to Redress*. 2nd ed., Seattle: University of Washington Press, 1991.

20. Allan W. Austin. "Loyalty and Concentration Camps in America: The Japanese American Precedent and the Internal Security Act of 1950," pp. 253-270 in Erica Harth, ed. *Last Witnesses: Reflections on the Wartime Internment of Japanese Americans*. New York: St. Martin's, 2001.