Years of Infamy

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"Years of Infamy" */

I am honored to be invited to moderate this panel discussion on World War II relocation and internment of thousands of American citizens of Japanese ancestry and Japanese people not citizens who were relocated and interned in America forty years ago. This panel is part of the 1982 Asian/Pacific American Heritage Week activities of the Equal Employment Opportunity Commission.

As a general overview of the subject, I am guided by the words of Minoru Yasui, the executive director of the Commission on Community Relations, Denver, Colorado as he describes the years 1942-1946, popularly referred to as the "Years of Infamy": **/

During 1942, as a result of the anti-Oriental mindset of certain military and governmental officials, 120,000 persons of Japanese ancestry were forcibly removed from the west coast and incarcerated in desolate desert camps in clear violation of their human rights. No charges were ever filed against individuals that resulted in a conviction and sentence to such camps. Because such persons of Japanese ancestry were incarcerated during World War II, the financial losses to that group of people exceeded $40,000,000.

*/ Taken from title of book by Michi Weglyn about "the untold story of America's Concentration Camps" (William Morrow and Company, Inc., N.Y., 1976 - Publisher).

**/ See also; Middleton, Commission Hearings Probe Reparations for Japanese-American WWII Internment, 67 ABAJ 1439 (November, 1981).
Completely aside from the financial losses, the denial of the right to peacefully assemble, the right of the people to keep and bear arms, the right to be secure in their persons, papers and effects, the right to be charged by a presentment or indictment, the right not to be deprived of liberty or property without due process of law, the right to a speedy and public trial, the right to be confronted by witnesses against him, the right to have assistance of counsel, the right to bail, and the right to be free from cruel or unusual punishment, were all denied to persons of Japanese ancestry during World War II in the shameful and unwarranted evacuation and internment of all persons of Japanese ancestry on the west coast. The irony of this whole episode is that three-fourths of those evacuated and interned were United States citizens and 23,000 subsequently served in the Armed Forces of the United States with outstanding gallantry and heroism. The previously untold story is that some 8,000 of these Japanese Americans served in the Pacific Theatre in operations against the nation of their ancestry.

We are cognizant of the fact that United States Supreme Court in the cases of Hirabayashi v. United States, 320 U.S. 115 (1943), and Yasui v. United States, 320 U.S. 115 (1943), ruled that imposition of military curfew orders against civilians was a proper exercise of war power, despite the fact that these military orders were applied against United States citizens on the basis of race, and race alone. Further, the case of Korematsu v. United States, 323 U.S. 214 (1944), held that military orders were constitutional even though requiring removal of persons on the basis of race—by a six to three decision.

We are particularly concerned, at this time in history, that these decisions of the United States Supreme Court still exist as law of the land. We are well aware that these decisions are like a loaded gun pointed at the head of every United States citizen and that in times of emergency or crisis this weapon could be used to deprive innocent people of their basic constitutional rights. We know that given the anti- Orientalism of the west coast—in the event of problems with the People's Republic of China—this weapon might be used against American citizens of Chinese ancestry and perhaps against other United States citizens of other unpopular ancestries.

As part of its national campaign to seek means of deterring the use of such military orders to deprive United States citizens of their basic constitutional rights, the Japanese American Citizens League has embarked upon a campaign for redress for the wrongs committed by the United States Government in 1942–46. ***/

Participating in this discussion are three distinguished panelists; Donna Komure who will give us a brief historical background on the West Coast evacuation and will discuss three major Supreme Court decisions arising from the evacuation; Donna Fujioka, who will be giving us a brief background on the wartime policies toward the Japanese in Hawaii which were in marked contrast to those affecting the West Coast Japanese; and Jeanette Chow, a former employee of the EEOC, who will add to the issues surrounding relocation and internment.