

A  
C  
R  
I  
T  
I  
C  
A  
L  
I  
S  
S  
U  
E



# Prisoners Without Trial

Japanese Americans in World War II

Roger Daniels

---

# PRISONERS WITHOUT TRIAL

---

*Japanese Americans in World War II*

ROGER  
DANIELS

A CRITICAL ISSUE

CONSULTING EDITOR: ERIC FONER



HILL AND WANG

*A division of Farrar, Straus and Giroux / New York*

Hill and Wang  
A division of Farrar, Straus and Giroux  
19 Union Square West, New York 10003

Copyright © 1993 by Roger Daniels  
All rights reserved  
Distributed simultaneously in Canada by Douglas & McIntyre Ltd.  
Printed in the United States of America  
First edition, 1993

LIBRARY OF CONGRESS CATALOGING-IN-PUBLICATION DATA

Daniels, Roger.

Prisoners without trial : Japanese Americans in World War II /

Roger Daniels ; consulting editor, Eric Foner. — 1st ed.

p. cm. — (A Critical issue series)

Includes index.

1. Japanese Americans—Evacuation and relocation, 1942–1945.
  2. Japanese Americans—Pacific States—History—20th century.
  3. Pacific States—History. 4. World War, 1939–1945—United States.
- I. Foner, Eric. II. Title. III. Series.

D769.8.A6D37 1993 940.53'1503956073—dc20 92-27144 CIP

Paperback ISBN : 0-8090-1553-6

Designed by Fritz Metsch

[www.fsgbooks.com](http://www.fsgbooks.com)

11 13 15 17 18 16 14 12

BOOKS BY ROGER DANIELS

- The Politics of Prejudice:  
The Anti-Japanese Movement in California and the Struggle  
for Japanese Exclusion*, 1962; 3rd ed., 1991
- The Bonus March: An Episode of the Great Depression*, 1971
- Concentration Camps, USA: Japanese Americans and WW II*, 1971
- The Decision to Relocate the Japanese Americans*,  
1975; 2nd ed., 1983
- Concentration Camps, North America:  
Japanese Americans and Canadians during WW II*, 1981
- Asian America: Chinese and Japanese  
in the United States since 1850*, 1988
- History of Indian Immigration to the United States:  
An Interpretive Essay*, 1989
- Coming to America: A History of Immigration  
and Ethnicity in American Life*, 1990
- [with Harry H. L. Kitano]:  
*American Racism: Exploration of the Nature of Prejudice*, 1970
- Asian Americans: Emerging Minorities*, 1988
- [with Sandra C. Taylor and Harry H. L. Kitano]:  
*Japanese Americans: From Relocation to Redress*,  
1986; 2nd ed., 1991
- [ed.] *American Concentration Camps:  
A Documentary History of the Relocation and Incarceration  
of Japanese Americans, 1941-1945*, 9 vols., 1989

TO THE MEMORY OF  
HOWARD PALMER  
(1946-1991)  
FRIEND, CITIZEN, SCHOLAR

## PREFACE

Since I have written extensively about what their own government did to Japanese Americans during World War II, I have not thought it necessary to document this work as fully as its predecessors, especially since hundreds of relevant documents have been published in the nine-volume set *American Concentration Camps* (1989). This book differs from my previous work in two ways: it is briefer, and it is the first such account to be written after the enactment and execution of what the Japanese Americans call redress, the apology and token monetary compensation voted by Congress in 1988.

The intellectual debts piled up in the course of writing even a brief book are large, and only the most pressing can be acknowledged here. Eric Foner, the consulting editor of this series, and Arthur Wang, its publisher, each read the manuscript and had valuable criticisms and suggestions, as did a fellow student of the Japanese American experience, Dr. Louis Fiset. I wrote this book while visiting at two institutions during a year of leave. Evelyn Sobremonte and Laurie Dellemonache at the University of Calgary and Renate Guggenberger and Maria Meth at the University of Innsbruck went out of their way to help a visitor. My leaves were supported by Gene Lewis, the head of the University of Cincinnati's History Department, and Joseph A. Caruso, dean of the McMicken College of Arts and Sciences. Special thanks are due also to my colleague, Bruce Levine, and, as always and most important, to my wife, Judith M. Daniels, who listened, read, commented, corrected, and questioned on two continents.

ROGER DANIELS

*Calgary-Innsbruck, 1991-2*

## CONTENTS

1	Background for a Roundup, 1850-1941	3
2	The Politics of Incarceration, 1941-1942	22
3	Life Behind Barbed Wire, 1942-1946	49
4	Return to Freedom, 1942-1946	72
5	Rehabilitation and Redress, 1943-1990	88
6	Epilogue: Could It Happen Again?	107
	<i>An Essay in Photographs</i>	115
	<i>Suggestions for Further Reading</i>	127
	<i>Appendix: Documents</i>	129
	<i>Index</i>	135

PRISONERS  
WITHOUT TRIAL





## BACKGROUND FOR A ROUNDUP, 1850-1941

---

THIS book will describe and attempt to explain how and why nearly 120,000 Japanese Americans were taken from their homes in the spring and early summer of 1942 and incarcerated in concentration camps by the United States government. The United States was then at war with the Empire of Japan and its violation of civil and human rights was justified by President Franklin D. Roosevelt on the grounds of military necessity. These men, women, and children, more than two-thirds of them American citizens, were exiled from their homes and put into desolate camps simply because they or their parents had been born in Japan. Once characterized as "our worst wartime mistake," this was neither a mistake nor an error in judgment nor an inadvertence. The wartime abuse of Japanese Americans, it is now clear, was merely a link in a chain of racism that stretched back to the earliest contacts between Asians and whites on American soil. A 1981 report by the Presidential Commission on the Wartime Relocation and Internment of Civilians put it nicely, concluding that the relocation and incarceration of the Japanese Americans

was not justified by military necessity, and the decisions which followed from it . . . 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 . . . A grave injustice was done to American citizens and resident aliens of Japanese ancestry who, without individual review or any pro-

bative evidence against them, were excluded, removed and detained by the United States during World War II.

To understand these unprecedented and now almost universally regretted wartime actions, it is necessary to look beyond the war years and beyond even the earliest arrival of Japanese immigrants in America and examine, however briefly, the Chinese, who were the first large group of immigrants from Asia, and the reception they received. The experience of the Chinese in nineteenth-century America served in many ways as a kind of rehearsal for what would happen to later immigrants from Asia.

This is not to say that all immigrants from Asia were alike. There are many differences between Asian ethnic groups and, for that matter, there are great differences within Asian ethnic groups. But to most Americans in the late nineteenth and early twentieth century, all Asian immigrants seemed alike and alike seemed to present a threat to the American standard of living and to the racial integrity of the nation. These attitudes and the actions that accompanied them were clearly racist, but most Americans in those years would not have recognized them as such. They would have argued that their attitudes were simply "American." There is more than a little logic in such an argument, because the United States was then an explicitly racist nation which discriminated in both law and custom against any persons who were not recognized as "white." In fact, many "white" ethnic groups also suffered severe discrimination, but discrimination that was customary rather than statutory. The treatment of Asians in America was related to the dispossession of Native Americans, the enslavement of African Americans, and the maltreatment of Mexican Americans, Catholics, Jews, and others.

Although a few Asians, mostly seamen, had come to the Eastern United States in the late eighteenth century, the immigration of Asians in significant numbers dates from 1850, when Chinese men began to arrive in San Francisco. Almost all of them were attracted by the gold that had been discovered outside Sacramento, a little over a hundred miles away. The Chinese became a small part of a massive migration, the first

TABLE 1

## CHINESE IMMIGRATION AND POPULATION, 1860-1880

*Immigration of Chinese to the United States*

YEARS	NO. OF IMMIGRANTS
To 1860	41,443
1861-1870	64,301
1871-1880	<u>123,823</u>
Total	229,567

*Chinese American Population by Census*

YEAR	UNITED STATES	PACIFIC STATES	CALIFORNIA
1860	34,933	n/a	34,933
1870	63,199	52,841	49,277
1880	104,468	87,828	75,132

Source: U.S. Immigration and Census data

great American Gold Rush, which in a matter of months brought more than a hundred thousand newcomers into the sleepy former Mexican province. Most of the newcomers were Americans from the "states," but there were large numbers of Europeans and Latin Americans, and a few Australians as well as Chinese. Gold drew them all—the Chinese characters for "California" can also be translated as "golden mountain"—but from the first the Asians and the Latin Americans, although tolerated, were not treated equally.

It is clear from the data that a great many of the nearly 250,000 Chinese who came to the United States before 1880 eventually returned to China. (Table 1 shows early Chinese immigration and population.) It is a common practice among most immigrant groups throughout American history for single males to come to make some money and then return home "rich" men. Such persons are called "sojourners," as opposed to those who come planning to stay. A man who could bring back \$400 to China was considered "rich"; he could buy some land or get his family out of debt. According to mid-century American consular reports from the China coast, some actually managed to do so. But immigrants' plans do not always work

out: sojourners of many nationalities become settlers, and many who plan to settle return home.

Racism and other forms of prejudice were entrenched in the United States when the Chinese began to arrive. Early in their colonial history, Americans had learned to despise the Native Americans and to regard blacks, whether slave or free, as inherently inferior beings. Later, hostile contact with Mexicans, first in Texas and then throughout the Southwest, added the Mexicans to the list of inferiors—a list that expanded to include all Latin Americans after large numbers of Chileans and other Latins emigrated to California. The great nineteenth-century American philosopher Josiah Royce, a native Californian, understood the phenomenon well and commented on it with savage irony:

The life of a Spanish American in the mines in the early days, if frequently profitable, was apt to be a little disagreeable. It served him right of course. He had no business, as an alien, to come to the land God had given us. And if he was a native Californian, or "greaser," then so much the worse for him. He was so much more our born foe; we hated his whole degenerate, thieving, landowning, lazy and discontented race. Some of them were now even bandits; most of them by this time were, with our help, more or less drunkards; and it was not our fault if they were not all rascals! So they deserved no better.

Given this harsh climate of opinion, it is hardly surprising that the Chinese were badly treated, first in California and then elsewhere in the West. California's first legal code in 1850 barred the testimony of blacks and Indians against whites, and the California courts soon barred the Chinese as well. This, in effect, gave criminals a license to steal from Chinese miners, who generally lived in isolated ethnic enclaves near the diggings, as California's early mines were called. It is no wonder that the phrase "a Chinaman's chance" came to mean no chance at all. Although many of the early Chinese immigrants, like most immigrants in the Gold Rush era, headed for the diggings, European American miners often drove them and Latin Amer-

ican miners away. In addition, the legislature passed a "foreign miner's tax," the first of many discriminatory statutes aimed at the Chinese.

In the face of prejudice and abuse, which included frequent assaults and occasional murders, for which whites were almost never punished, the Chinese continued to come to California and the American West. Despite everything, it was possible for the Chinese to earn much more in America than in China. The labor of Chinese workers and entrepreneurs contributed significantly to the economic growth of the American West in both industry and agriculture. Their most spectacular contribution was building the Western leg of the first transcontinental railroad. When that road was completed, in May 1869, some ten thousand Chinese railroad workers were laid off. Most of them went to San Francisco, where their presence triggered the most violent phase of organized anti-Chinese agitation.

A powerful movement of workingmen who resented Chinese competition developed. Led by a recent Irish immigrant, Dennis Kearney, it had as its slogan "The Chinese Must Go!" Its real goal was an end to Chinese immigration. Most Western politicians soon found it prudent to support the movement, even though many of them, such as the railroad magnate Leland Stanford, continued to employ Chinese labor. Laboring men and their organizations throughout the nation backed the Westerners' demands in 1870 after a few Chinese were hired as strikebreakers in the Eastern United States. In 1882 Congress passed and President Chester A. Arthur signed the Chinese Exclusion Act, which barred further immigration of Chinese laborers—but not all Chinese—for ten years. This law was extended for ten more years in 1892 and was made permanent in 1902. The 1882 act was the first federal law to discriminate against any immigrant group and thus set an important precedent.

It was only after Chinese immigration had been stopped that statistically significant Japanese immigration began, although a few Japanese had come to the United States just after the Civil War. Table 2 shows the growth of the ethnic Japanese population in the United States.

To keep these figures in perspective, it must be remembered

TABLE 2

JAPANESE IMMIGRATION AND POPULATION, 1890-1940  
*Immigration of Japanese to the United States*

YEARS	NO. OF IMMIGRANTS
To 1890	3,000
1891-1900	27,000
1901-1908	127,000
1909-1924	<u>118,000</u>
Total	275,000

*Japanese American Population by Census*

YEAR	JAPANESE IN UNITED STATES	JAPANESE ON PACIFIC COAST	JAPANESE IN CALIFORNIA
1900	24,326	18,629	10,151
1910	72,157	57,703	41,356
1920	111,010	94,490	71,952
1930	138,834	119,893	97,456
1940	126,948	112,353	93,717

Source: U.S. Immigration and Census data  
 Japanese in the Hawaiian Islands are not included

that between 1900 and 1940 the population of the United States grew from 76 million to 130 million and that ethnic Japanese never constituted as much as two-tenths of one percent (0.02%) of the total population or more than two and one-tenth percent (2.1%) of California's population. Looking at these figures rationally, one finds it difficult to see how Japanese Americans could have seemed a threat to the nation, but racial fears are more often based on fantasy than on reality.

Initially, Japanese immigration followed the pattern of Chinese immigration and that of many other groups of the time. Most immigrants were young adult males who came intending to sojourn, although, almost from the beginning, there were some who intended to make America their home. As the first groups of newcomers from the land of the rising sun arrived, an anti-Japanese movement developed, first in California and then elsewhere in the West. Its organizers saw

in the Japanese the same "threat" as in the Chinese. Given the racial climate in the United States, it seems clear that if Japan had been as weak a nation as China was in those years, a Japanese Exclusion Act on the Chinese model would have been passed by Congress easily.

But Japan was not a weak nation. Japan was victorious in the Russo-Japanese War of 1904-5. It was not only the most powerful Asian nation but also well on the road to becoming a world power. In present-day language, Japan was the first country to move from the Third World to the First. Japan's autocratic rulers were not really interested in the lives and welfare of a few hundred thousand of its peasants overseas, but they were convinced that if they allowed Japanese people to be mistreated abroad—as most Asian emigrants were—it would be detrimental to Japan's new status as a world power. Farsighted American leaders, such as Theodore Roosevelt, were aware of Japan's growing strength and acted to inhibit anti-Japanese legislation. Thus, early in the twentieth century, Japan's power served to protect the status of its emigrants. Tokyo, in collaboration with Washington, was able to frustrate the anti-Japanese movement for two decades.

That movement, like the anti-Chinese movement, was begun by labor leaders; in fact, Dennis Kearney lived long enough to be one of its pioneers, in 1892. But there were too few Japanese in California for many people to take much notice. Eight years later, the anti-Japanese crusade really took off, and took off from a broader base than its predecessor. Middle-class politicians, particularly those commonly styled "progressive," were instrumental in the movement's growth and success. The first sign of this was a speech by San Francisco's millionaire reform mayor, James Duval Phelan. Appearing at a rally called to urge Congress to renew the Chinese Exclusion Act, the mayor noted a new danger:

The Japanese are starting the same tide of immigration which we thought we had checked twenty years ago . . . The Chinese and Japanese are not bona fide citizens. They are not the stuff of which American citizens can be made



. . . Personally we have nothing against the Japanese, but as they will not assimilate with us and their social life is so different from ours, let them keep a respectful distance.

The three major California political parties—Republican, Democrat, and Populist—took a stand against all Asiatic immigration in 1900, as did the national American Federation of Labor, but the anti-Japanese movement did not have an impact beyond the Far West until 1905. That February, the conservative San Francisco *Chronicle*, then the most influential newspaper on the Pacific Coast, ran a sensational series of articles. Beginning with a front-page headline, THE JAPANESE INVASION, THE PROBLEM OF THE HOUR, the paper added new elements to the old economic and cultural arguments against Asians: sex and intrigue. It maintained that Japanese men were a menace to white women, that every immigrant was “a Japanese spy,” and it claimed, with wild inaccuracy, that there were at least 100,000 of the “little brown men” in the country. The inflammatory articles continued almost daily for months and were much copied and discussed up and down the Pacific Coast. Typical headlines read:

CRIME AND POVERTY GO HAND IN HAND WITH ASIATIC LABOR

HOW JAPANESE IMMIGRATION COMPANIES OVERRIDE LAWS

BROWN MEN ARE MADE CITIZENS ILLEGALLY

JAPANESE A MENACE TO AMERICAN WOMEN

BROWN MEN AN EVIL IN THE PUBLIC SCHOOLS

ADULT JAPANESE CROWD OUT CHILDREN

THE YELLOW PERIL—HOW JAPANESE CROWD OUT THE WHITE RACE

BROWN PERIL ASSUMES NATIONAL PROPORTIONS

BROWN ARTISANS STEAL BRAINS OF WHITES

The month after the *Chronicle* series began, California politicians took up the anti-Japanese crusade. Both houses of the state legislature unanimously adopted an insulting anti-Japanese resolution which echoed the paper's diatribes. The immigrants were denounced as “undesirable,” as not wishing “to assimilate with our people or to become Americans,” as “mere transients [who] do not buy land . . . a blight on the [state's] prosperity.” The resolution concluded with a vision of worse things to come: