

Japanese Americans & the US Constitution

Inspired by the Smithsonian's Museum of
American History



**Between 1900 and
1940, 275,000
Japanese came to
America.**

Most worked in agriculture on the West Coast...

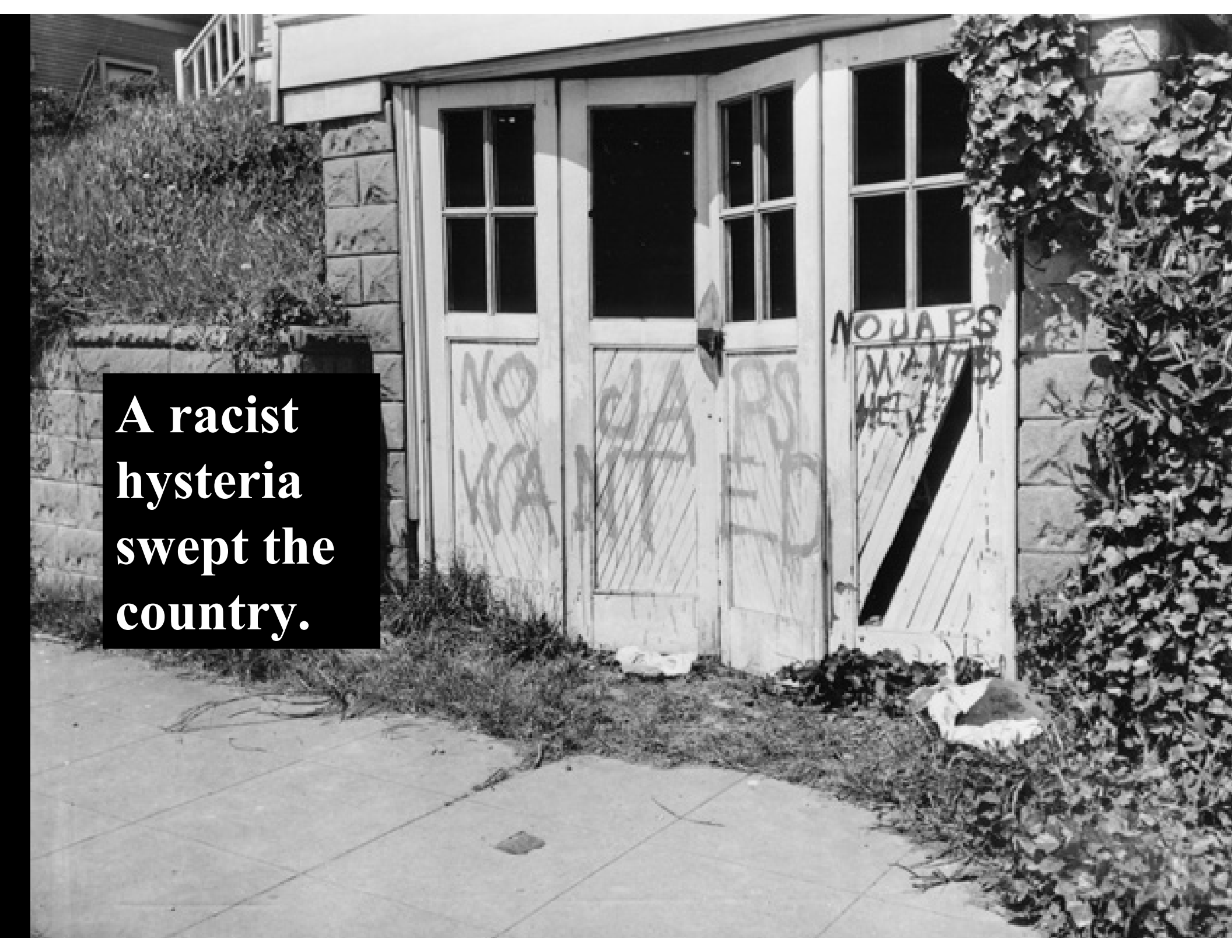


...but success was often met with discrimination.



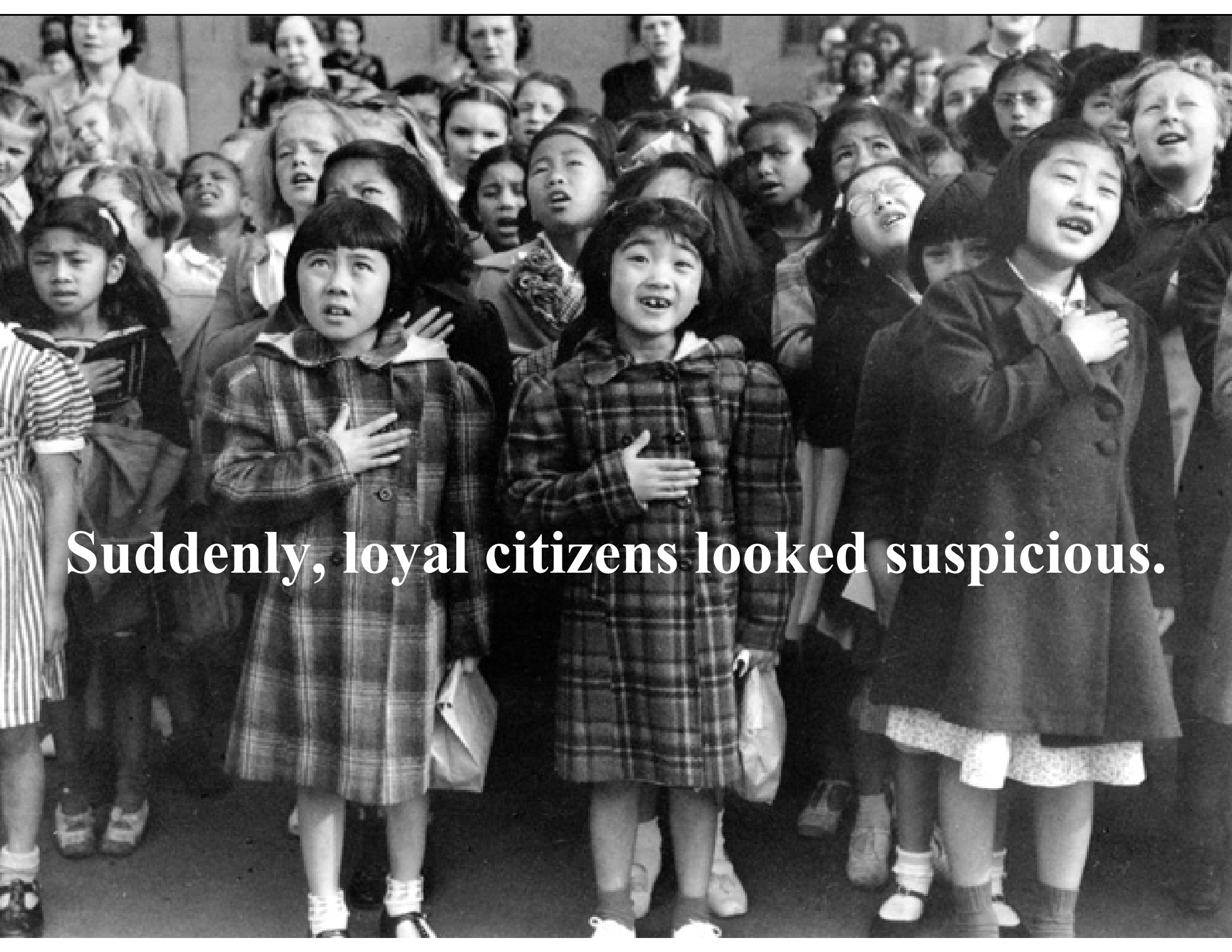
**Then came
Pearl Harbor.**





**A racist
hysteria
swept the
country.**

NO NAPS
WANTED



Suddenly, loyal citizens looked suspicious.

SOLD

by WHITE & POLLARD

GROCERY

WANT

**FRUITS
AND
VEGETABLES**

Although American Japanese
tried to prove their loyalty...

I AM AN AMERICAN

WANTO CO

WANTO CO



**...FDR signed Executive Order 9066,
directing the military to arrest and
relocate all persons of Japanese descent.**

EXECUTIVE ORDER

- - - - -

AUTHORIZING THE SECRETARY OF WAR TO PRESCRIBE
MILITARY AREAS

WHEREAS the successful prosecution of the war requires every possible protection against espionage and against sabotage to national-defense material, national-defense premises, and national-defense utilities as defined in Section 4, Act of April 20, 1918, 40 Stat. 533, as amended by the Act of November 30, 1940, 54 Stat. 1220, and the Act of August 21, 1941, 55 Stat. 655 (U. S. C., Title 50, Sec. 104):

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and

**WESTERN DEFENSE COMMAND AND FOURTH ARMY
WARTIME CIVIL CONTROL ADMINISTRATION**
Presidio of San Francisco, California
April 1, 1942

**INSTRUCTIONS
TO ALL PERSONS OF
JAPANESE
ANCESTRY**

Living in the Following Area:

All that portion of the City and County of San Francisco, State of California, lying generally west of the north-south line established by Junipero Serra Boulevard, Worcester Avenue, and Nineteenth Avenue, and lying generally north of the east-west line established by California Street, to the intersection of Market Street, and thence on Market Street to San Francisco Bay.

All Japanese persons, both alien and non-alien, will be evacuated from the above designated area by 12:00 o'clock noon Tuesday, April 7, 1942.

No Japanese person will be permitted to enter or leave the above described area after 8:00 a. m., Thursday, April 2, 1942, without obtaining special permission from the Provost Marshal at the Civil Control Station located at:

1701 Van Ness Avenue
San Francisco, California

The Civil Control Station is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advice and instructions on the evacuation.
2. Provide services with respect to the management, leasing, sale, storage or other disposition of most kinds of property including: real estate, business and professional equipment, buildings, household goods, boats, automobiles, livestock, etc.
3. Provide temporary residence elsewhere for all Japanese in family groups.
4. Transport persons and a limited amount of clothing and equipment to their new residence, as specified below.

The Following Instructions Must Be Observed:

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone, will report to the Civil Control Station to receive further instructions. This must be done between 8:00 a. m. and 5:00 p. m., Thursday, April 2, 1942, or between 8:00 a. m. and 5:00 p. m., Friday, April 3, 1942.

But, this was a
problem
because...

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article 1

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and including also not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and in every subsequent Year at such equal Intervals as the Congress shall by Law direct: and one for every thirty Persons, but each State shall have at least one Representative; and until such Enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina six, and Georgia three.

...the United States Constitution says:

When vacancies happen in the Representation from any State, the Executive thereof shall issue Writs of Election to fill such Vacancies. The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and the Electors in each State shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Clases. In the first Class, one third of the Senators of the first Class shall be vacated at the Expiration of their second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and who, when elected, shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided. The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the Chief Justice shall preside. And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Profit or Trust under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment according to Law.

**“The right of the
people to be
secure in their
persons...”**





**“...houses, papers
and effects...”**

“...against unreasonable searches and seizures...”





“...shall not be violated...”



“...and no Warrants shall issue, but on probable cause...”

“...supported by Oath or affirmation...”

“A Jap is a Jap. It makes no difference whether the Jap is a citizen or not.”

*-General John Lee DeWitt,
Commander, Western
Defense Command, 1942*



“...and particularly describing the place to be searched...”

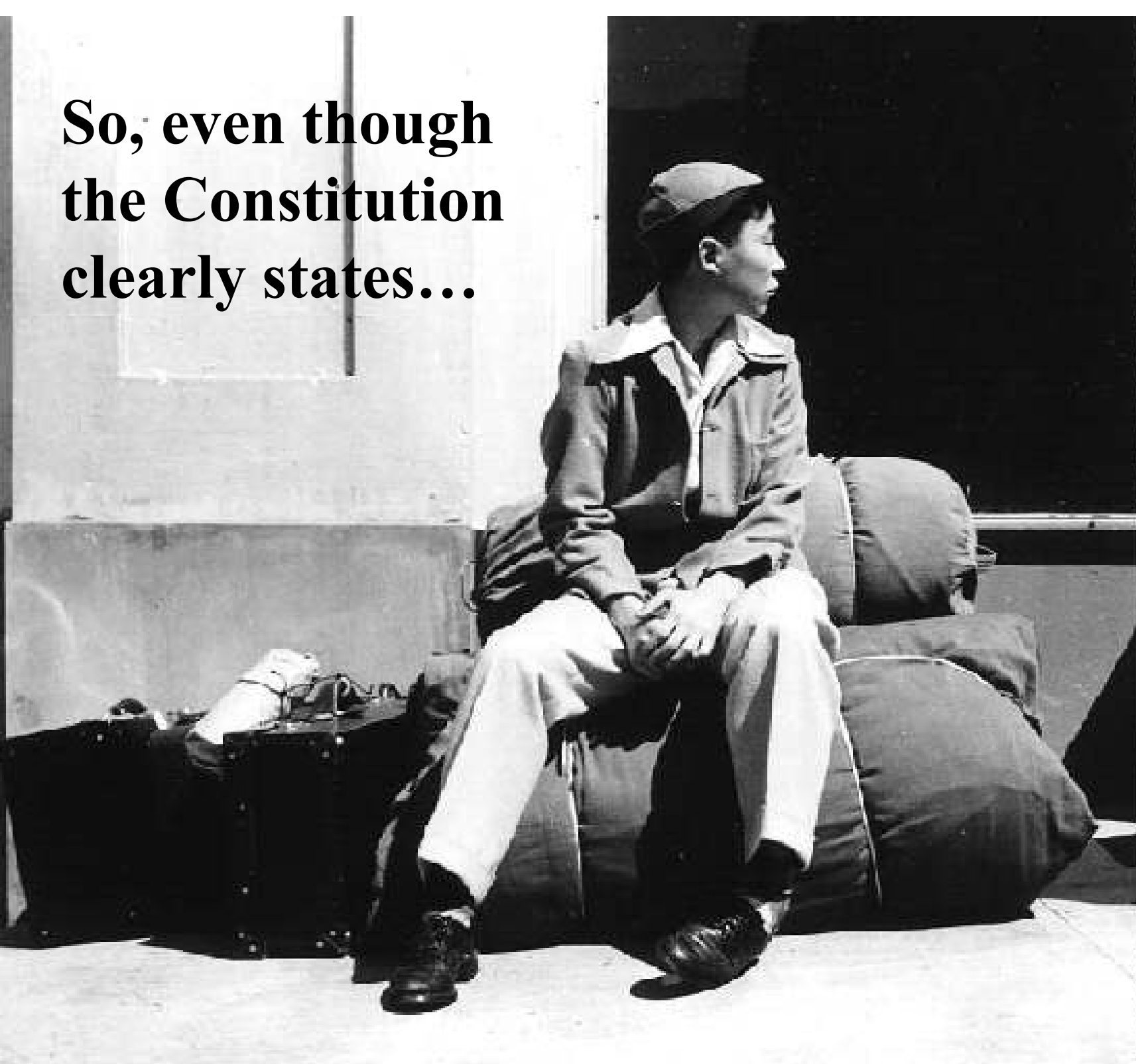


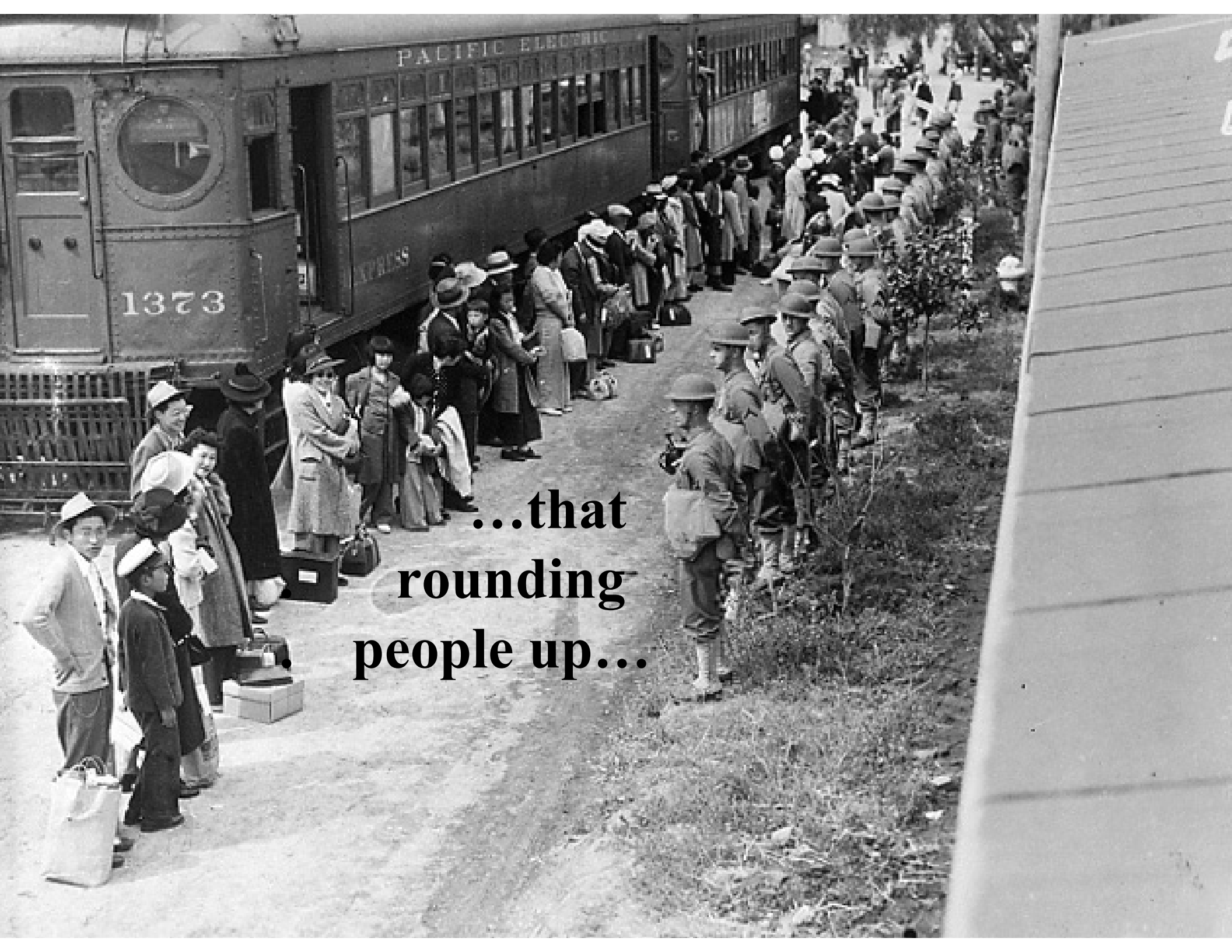
“...and the persons or things to be seized.”

*-Fourth
Amendment*



**So, even though
the Constitution
clearly states...**





**...that
rounding
people up...**

...loading them onto trains...



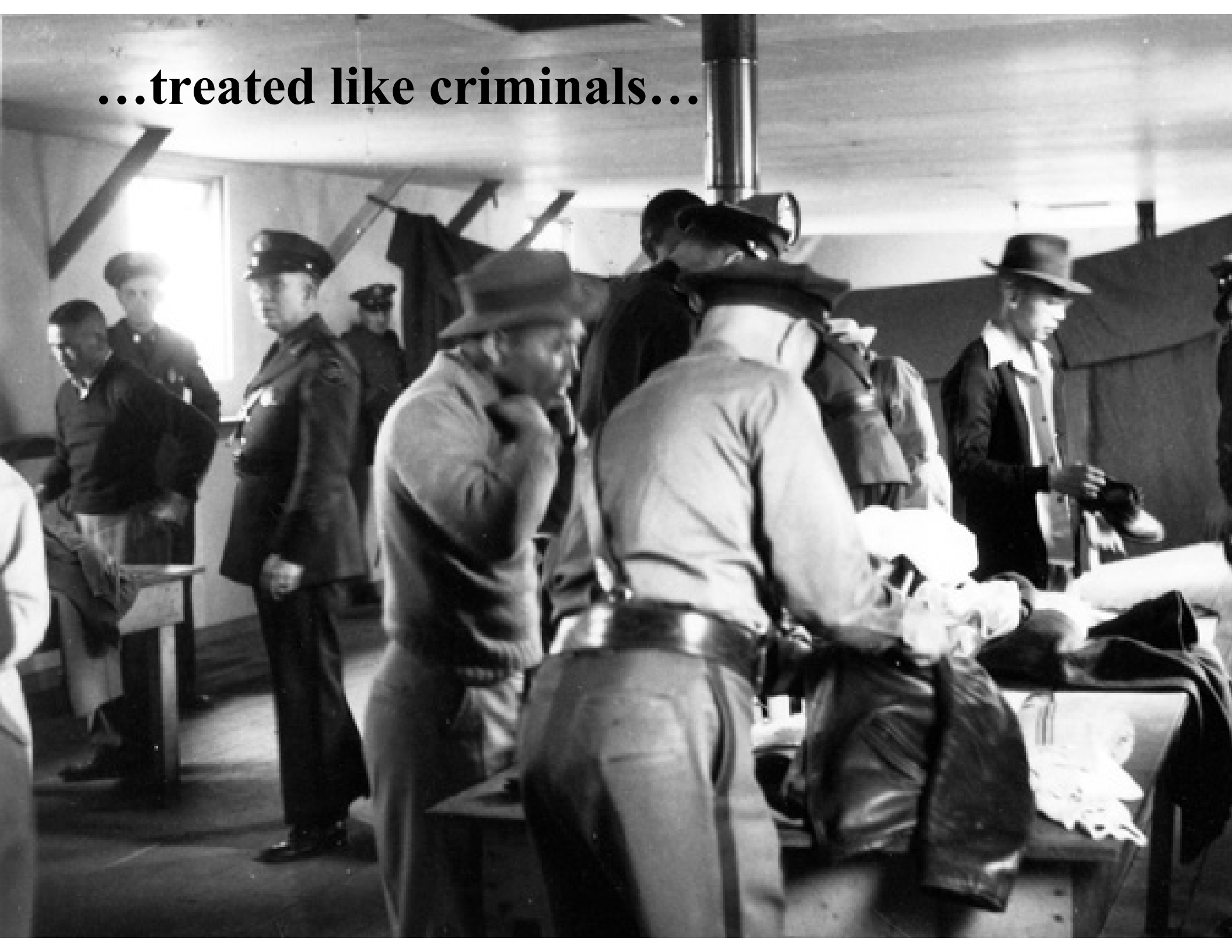


...and
shipping
them...

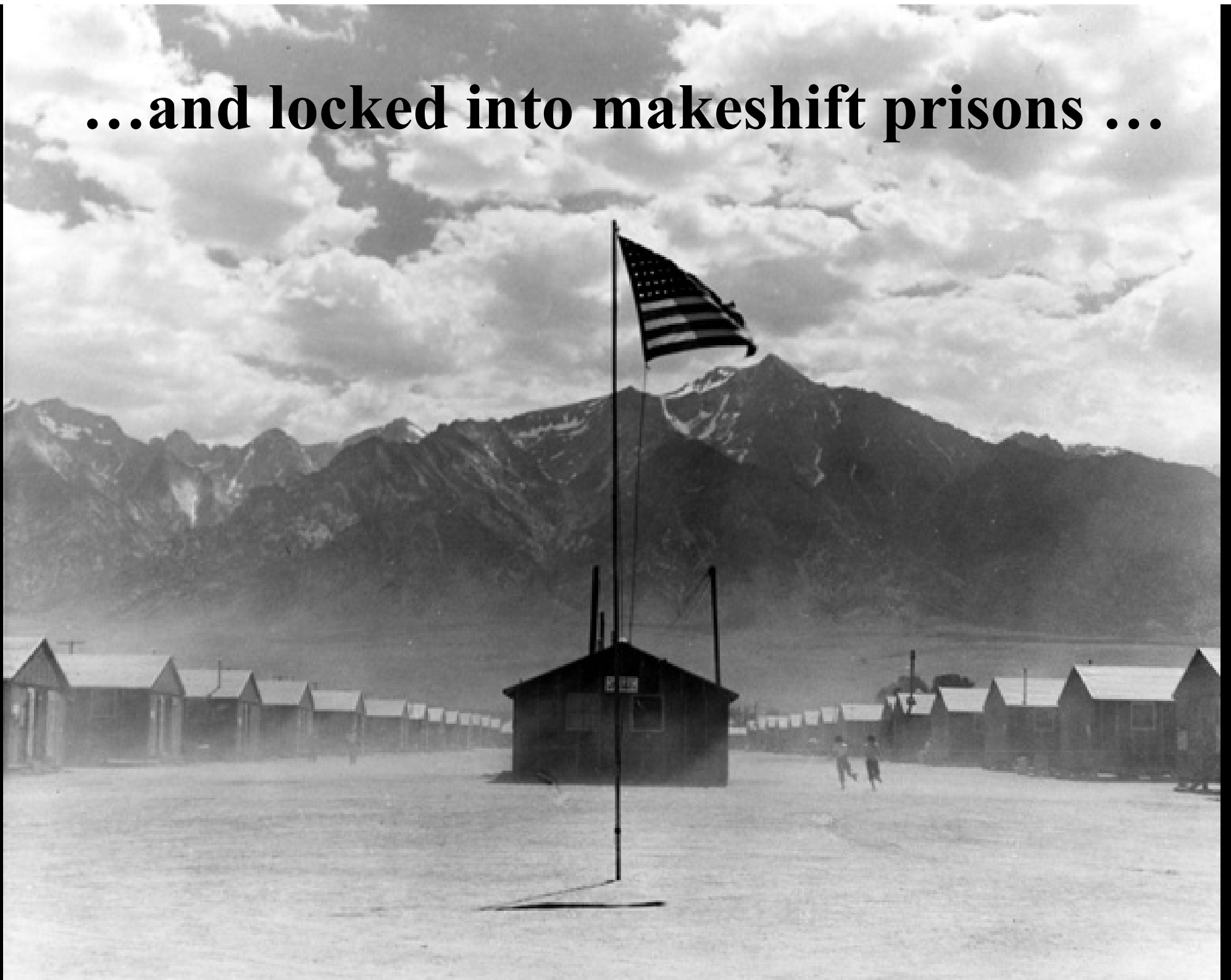
...to be fingerprinted...



...treated like criminals...



...and locked into makeshift prisons ...



...far away from home...

KEY

○ ASSEMBLY CENTERS

Puyallup, Wash.
 Portland, Ore.
 Marysville, Calif.
 Sacramento, Calif.
 Tanforan, Calif.
 Stockton, Calif.
 Turlock, Calif.
 Merced, Calif.
 Pinedale, Calif.
 Salinas, Calif.
 Fresno, Calif.
 Tulare, Calif.
 Santa Anita, Calif.
 Pomona, Calif.
 Mayer, Ariz.

■ RELOCATION CENTERS

Manzanar, Calif.
 Tule Lake, Calif.
 Poston, Ariz.
 Gila, Ariz.
 Minidoka, Ida.
 Heart Mountain, Wyo.
 Granada, Colo.
 Topaz, Utah
 Rohwer, Ark.
 Jerome, Ark.

● JUSTICE DEPARTMENT INTERNMENT CAMPS

Santa Fe, N. Mex.
 Bismarck, N. Dak.
 Crystal City, Tex.
 Missoula, Mont.
 (See also Appendix 3)

△ CITIZEN ISOLATION CAMPS

Moab, Utah
 Leupp, Ariz.

☒ Military Area 2 or

"Free Zone" until March 29, 1942



**...perfectly contradicts the very ideals
America was founded upon...**





**...it happened to
over 110,000 men,
women and
children in the
United States.**

**The last camp
closed in 1945.**

Despite all this, 25,000 Japanese Americans served in the US Armed Forces in World War II.

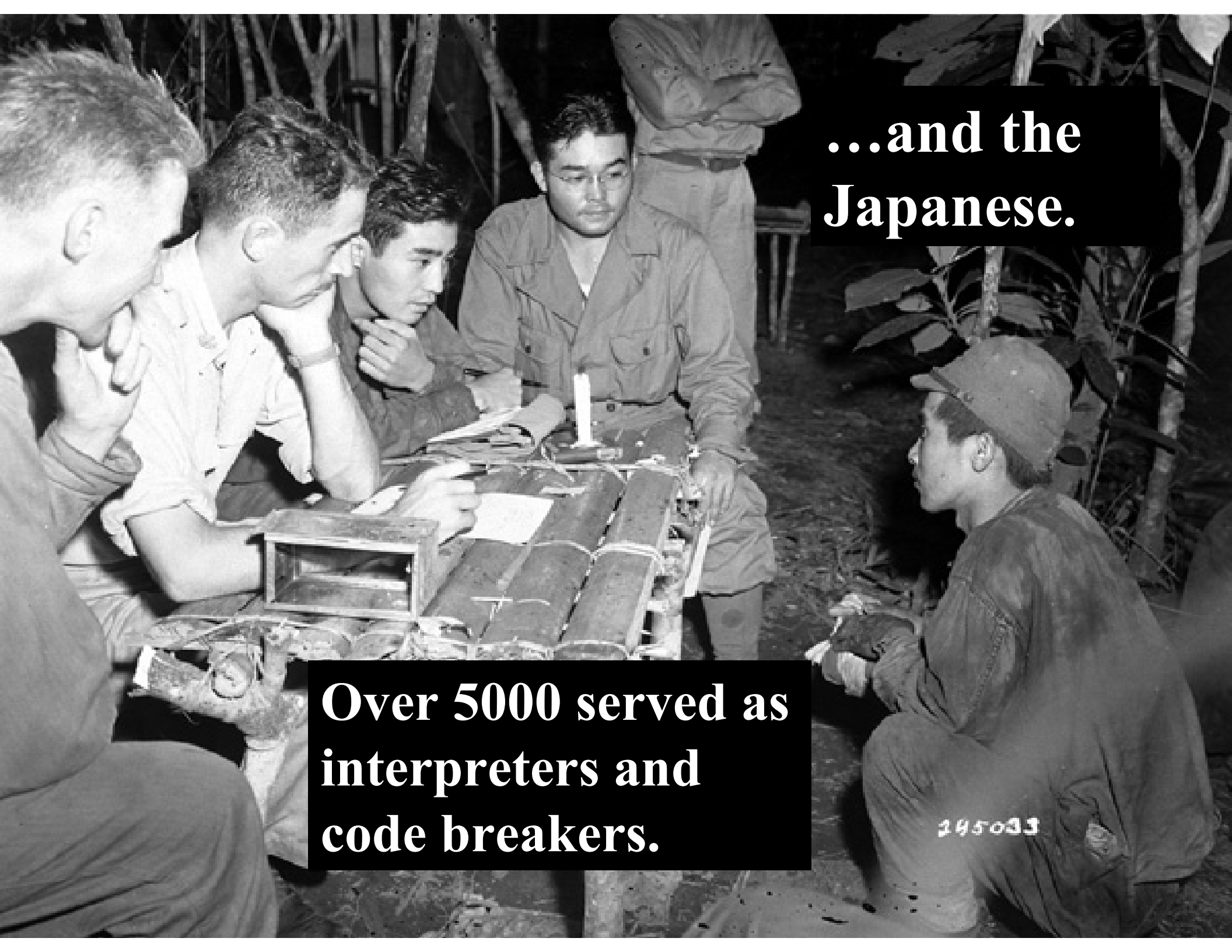


**Many served in the segregated,
Japanese American only 442nd
Regimental Combat Team.**



**The 442nd fought courageously
against the Nazis...**





**...and the
Japanese.**

**Over 5000 served as
interpreters and
code breakers.**

145033

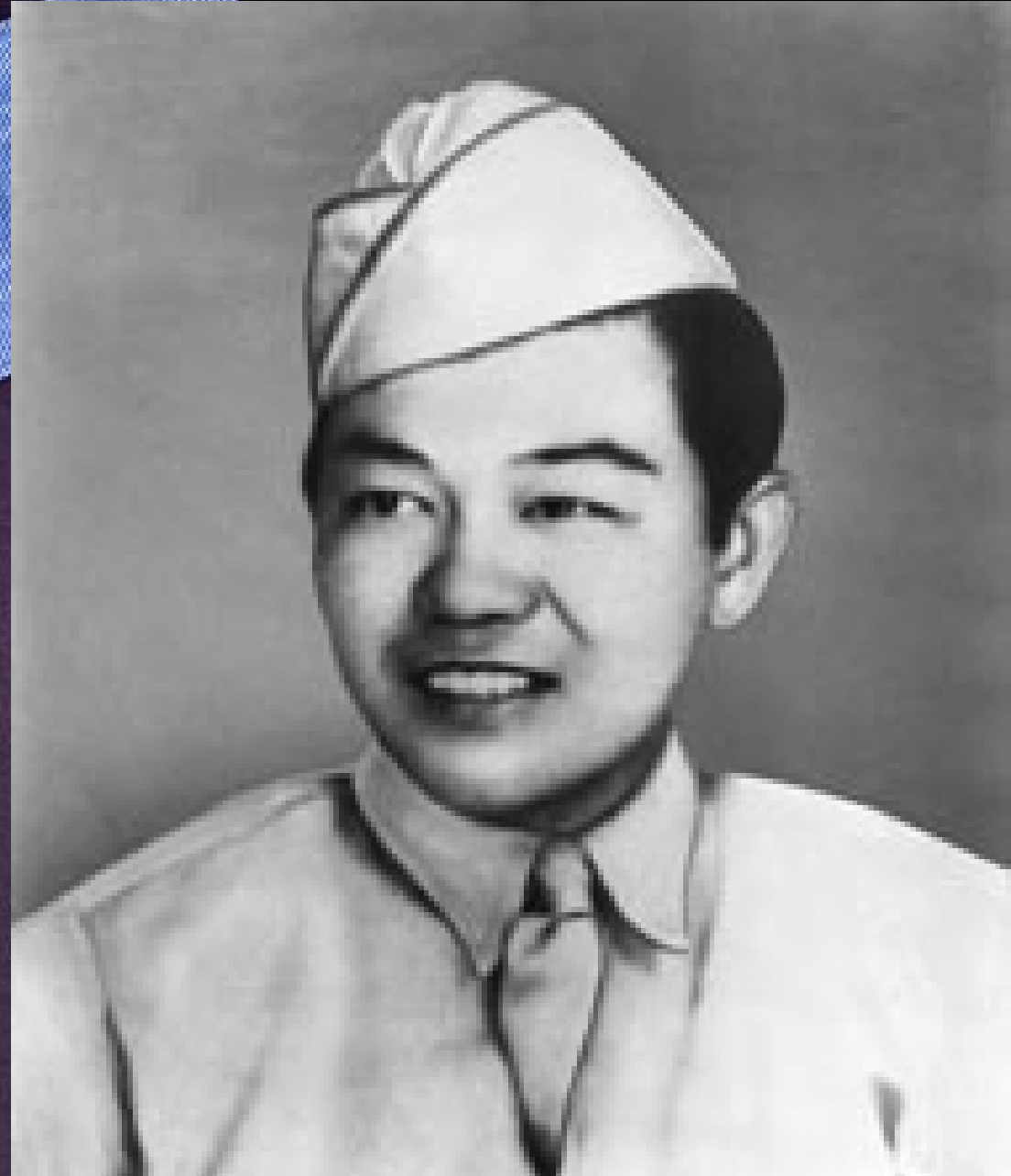
However, at an average height of 5' 4" and weighing 125lbs., Japanese American soldiers were a quartermaster's nightmare.



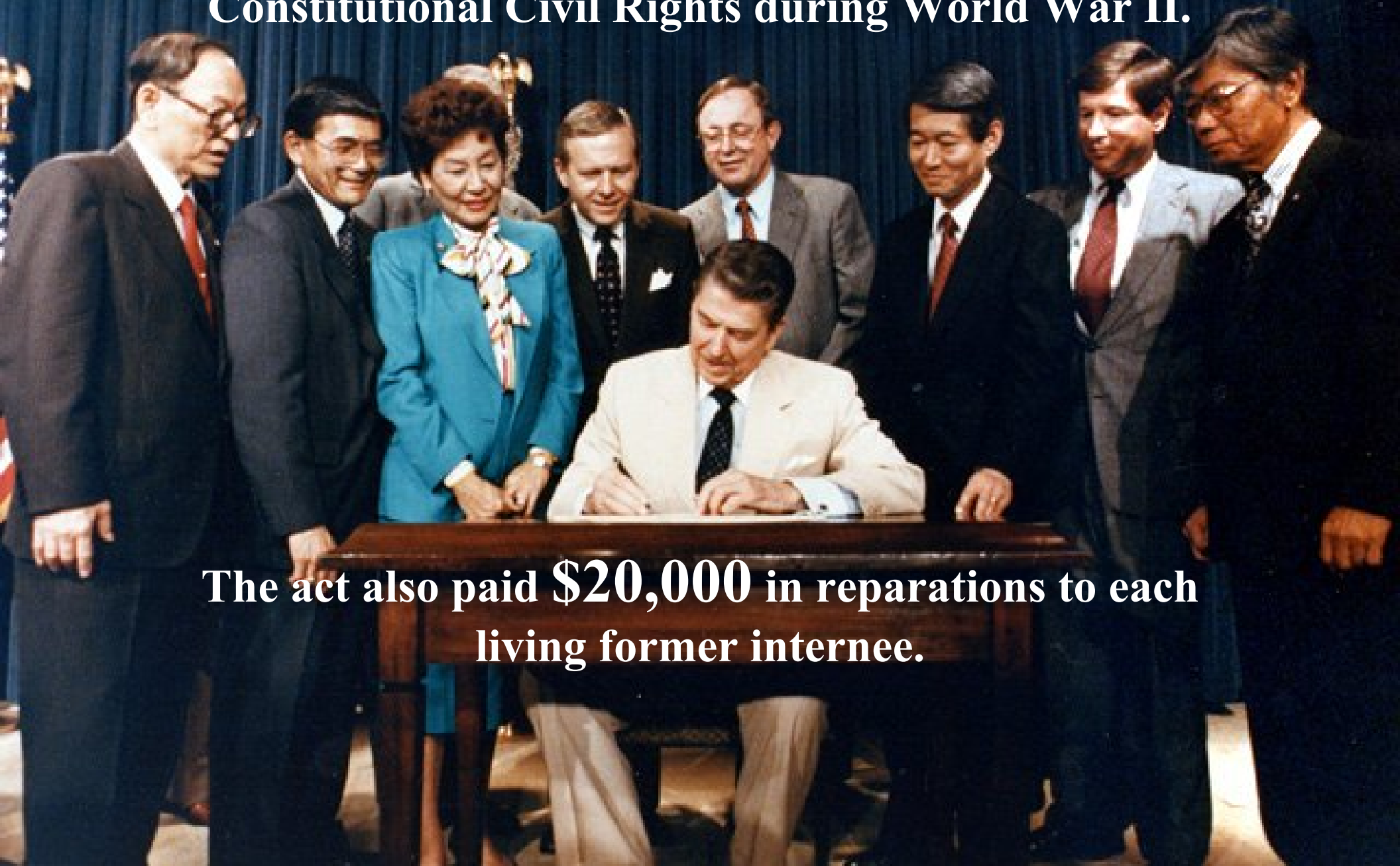
To accommodate their size, many uniforms had to be made from scratch or from ladies' uniforms. One soldier, Takeshi Kazumura, wore size 2 ½ shoes!



The 442nd earned 18,143 medals and over 153 unit citations, making them the most decorated unit in the entire war.



In 1988, President Ronald Reagan signed the Civil Liberties Act, which formally apologized for the violation of Japanese Americans' Constitutional Civil Rights during World War II.



The act also paid \$20,000 in reparations to each living former internee.