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Roosevelt's Decision to Intern by Greg Robinson

(from Greg Robinson, *By Order of the President : FDR and the Internment of Japanese Americans*, Cambridge, MA, Harvard University Press, 2001, pp.108-124)

On February 19, 1942, President of the United States Franklin Delano Roosevelt issued Executive Order 9066. It stated that to grant "every possible protection against espionage and against sabotage to national-defense material, national-defense premises and national-defense utilities," The President authorized the secretary of war and the military commanders he designated to prescribe military areas "from which and or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restriction" they cared to impose. It further authorized the military to provide transportation and accommodations for any excluded people and to accept assistance from state and local authorities. The order's text did not specifically mention Japanese-Americans, the West Coast, evacuation or internment. Nevertheless, nobody inside or outside the government had any doubt that the purpose of the Order was to give the Army the power to remove the Japanese-Americans from the Pacific Coast.

What the Order meant, in substance, was that the President and his military advisors determined that the Japanese racial background of 112,000 Americans made them so likely to engage in subversive activities in the event of a Japanese invasion of the West Coast that they were to be collectively deported from the excluded area (which ultimately included the entire Pacific Coast of the United States). The army was empowered to take these people and move them away from their homes and businesses to unspecified areas inland. The determination of their disloyalty resulted not from any judicial finding or any reliable evidence of their individual or collective involvement in

espionage or sabotage. In fact, there was not even a single documented case of any such activity.

Seventy percent of these "disloyal" people were American-born U.S. citizens of an average age of approximately 18 years old; the remaining 30 percent were virtually all permanent residents whose average age was over 50 had who immigrated to America decades earlier. Yet this community of native-born Americans and longtime residents was assumed, because of the racial identity of its members, to be indistinguishable from the Japanese enemy. In contrast, no other alien population was confined as a group solely because of the ancestry and appearance of its members (although individual German and Italian "enemy aliens" deemed dangerous were detained) and no other American citizens, regardless of ethnic background, were subjected to such treatment.

The Order's bland language concealed an unprecedented assertion of Executive power: Under its provisions, the President imposed military rule on civilians without a declaration of martial law, and he sentenced a segment of the population to internal exile (and ultimately forced incarceration) under armed guard, notwithstanding that the writ of habeas corpus had not been suspended by Congress (to whom such power was reserved by the Constitution).¹

More importantly, Executive Order 9066 was unprecedented in the extent of its racially defined infringement of the basic rights of American citizens. The evacuation was not limited only to the approximately 30 percent of the Japanese-American population which consisted of immigrant "enemy aliens". If it had been, it would still have been arbitrary, but it would clearly have fallen outside the guarantees of due process and equal protection of the laws granted to American citizens by the Constitution. The federal government had violated the fundamental liberties of non-citizen populations on a racial basis before--such as in the Fugitive Slave Acts and the expulsion of the Five

Civilized Tribes from the American South. The novelty and danger of Roosevelt's order lay in its infringement of the constitutional protections inherent in American citizenship.

What led Roosevelt to approve the relocation of Japanese-Americans? His ostensible motive was military necessity, or at least satisfying the expressed (or perceived) needs of the military.ⁱⁱ Certainly, the President defended his decision exclusively in terms of military factors. When Biddle objected that the evacuation was unnecessary, the President remarked that it must be a military decision, and he repeated that view in Cabinet meetings.ⁱⁱⁱ The Army might be wrong, but Roosevelt considered it best equipped to decide what was needed to win the war.

Further confirmation of this conclusion comes from John Franklin Carter's pseudonymous novel, The Catoctin Conversation^{*}, in which the character "Roosevelt" explains that the Internment was entirely "a matter of martial law":

"The Army asked for special status on the Pacific Coast. After Pearl Harbor, they were entitled to get what they said they needed. Once they had this status, they decided that the Japanese-Americans must move east of the Rockies. I had no choice but to back them or discredit them."

Carter's fictional alter ego then presses "Roosevelt" to admit his responsibility as Commander-in-Chief for allowing the Army to commit a wholesale violation of the rights of citizens of Japanese origin, even though he knew from Carter's survey that the

* Carter's novel, written immediately after the end of World War II, recounts an imaginary discussion in mid-1943 among Roosevelt, Churchill, himself and others. Although Carter invented all the dialogue, he claimed that (in the style of Thucydides and other classical historians) the opinions he had his characters express were authentic, and he approximated their actual words. Given Carter's intimate association with Roosevelt in regard to the Japanese-Americans, the book clearly relates an informed understanding of FDR's views on the subject. Thus, although the comments made by the "Roosevelt" character in Carter's novel are not valid as independent historical evidence of the real Roosevelt's opinions, they serve as important confirmation for other sources.

Japanese-Americans were loyal. "Roosevelt" agrees that the action was wrong but maintains that "the Army said it was necessary", and that he "accepted the Army's judgment."^{iv}

Nevertheless, the question of "military judgment" is by no means so simple. Even if Roosevelt merely accepted that Army claims of necessity were accurate, it would not settle the question of his *motivation* for accepting them. It is true that the President generally deferred to the military on defense issues and saw his own task as giving the military whatever it said was needed to defend the country. However, like the army planners in Hawaii before the war who were so bent on protecting airplanes from nonexistent Japanese American saboteurs that they left the planes open to a Japanese aerial attack, Roosevelt's preoccupation before Pearl Harbor with discovering subversive activities by Japanese Americans shows how prepared—even overprepared—he was to believe military claims of fifth column activity after pearl harbor, even in the face of strong evidence to the contrary.

In any case, the evidence indicates that his decision to approve the evacuation was not in fact based on strictly military considerations. Roosevelt was not faced with a clearcut military recommendation. There was dissension within the military itself over how best to deal with the Japanese-Americans. The President also failed to consult General George Marshall and the Joint Chiefs of Staff, his principal military advisors, before signing Executive Order 9066. The Chiefs were conducting their own investigation of the West Coast situation during February. On February 4, one week before Roosevelt authorized evacuation, Marshall's deputy General Mark Clark and Admiral Harold Stark testified before a Congressional committee that the danger of invasion was effectively nil and that coastal defenses were perfectly adequate. A week later Clark wrote the Secretary of war that he believed mass evacuation was undesirable and unnecessary.^v

Roosevelt was no doubt aware that the Navy brass (following the report of Lt. Commander Kenneth Ringle) opposed evacuation or took no position. Roosevelt

considered himself an old navy man –his allegiance was so marked that his own Chief of Staff, General Marshall, once complained “At least, Mr. President, stop speaking of the Army as ‘they’ and the Navy as ‘us’!” Because of his knowledge of navy matters, the President often interfered in naval policy. In contrast, he felt less familiar with army policy and preferred to leave the army alone. Unlike Stimson, the President did not demand the specific basis for the claims of military necessity. FDR did not even wait for DeWitt's final recommendations, which provided the (spurious) justification of military necessity that undergirded the Army's case for evacuation, before granting Stimson his blanket approval to proceed.

Moreover, FDR did not approve all measures requested by the military in connection with the Japanese-Americans. He did not, for example, support Navy Secretary Knox's December 1941 recommendation for immediate removal of Japanese aliens in Hawaii, even though the Islands, unlike the West Coast, had actually been attacked and were under martial law. Although Roosevelt later gave his support to a plan for the incarceration of 100,000 Japanese-Hawaiians, he refused to suspend the writ of habeas corpus in order to do so, and in the end there was neither a mass evacuation nor internment of Japanese-Hawaiians.

Moreover, if military necessity had been the sole criterion for action, the President would have approved military proposals for similar control of other enemy aliens who posed a potential threat to security. Roosevelt was certainly aware of the problem of espionage and disloyal activities by Italian and German "enemy aliens". During his February 7 meeting with the President, Biddle warned of the hysteria for evacuation spreading to the Italians and Germans on the East Coast. Three days later, following the sinking of the cruise liner Normandie in New York harbor while it was being refitted for military use, Roosevelt ordered an investigation as to whether enemy aliens had been employed on the project and could have committed sabotage.^{vi}

However, the President did not approve General DeWitt's request to remove West Coast Italian and German aliens en masse, and he specifically refused to permit

any evacuation in accordance with Executive Order 9066 on the East Coast. In April 1942, Eighth Army General Hugh A. Drum, the East Coast Defense Commander (DeWitt's Atlantic counterpart), proposed evacuating dangerous German and Italian aliens. Biddle took Drum's request as a sign of his intent to order mass evacuation, and he protested that such a move would lower morale and damage the region's economic and political structure. With Stimson's agreement, Roosevelt ordered Drum not to evacuate any person without prior approval.^{vii}

In the manuscript draft of his memoirs, Biddle contrasted the East Coast situation to the evacuation on the West Coast. He noted that, in military terms, the East Coast would have been the logical place for an evacuation of aliens. "There was more reason than in the West to conclude that shore-to-ship signals were accounting for the very serious submarine sinkings all along the East Coast, which were sporadic only on the West Coast." There would also have been greater reason to suspect disloyal activity from the numerous German and Italian aliens than from the much smaller Japanese population on the West Coast (indeed, even in California, Italian aliens outnumbered Issei). There were, in fact, established pro-Nazi and pro-fascist patriotic societies such as the German Bund on the East Coast, though Biddle did not mention them. "But the decisions were not made on the logic of events or on the weight of evidence, but on the racial prejudice that seemed to be influencing everyone."^{viii} Biddle's indictment of Roosevelt's motives is manifest, despite his tactful use of the passive voice regarding the decision to evacuate and his generalized attribution of racial prejudice.

If military necessity is an insufficient explanation for Roosevelt's approval of evacuation, what does explain it? As Milton Eisenhower, who as first director of the War Relocation Authority supervised the Internment, perceptively stated, "[T]he President's final decision was influenced by a variety of factors--by events over which he had little control, by inaccurate or incomplete information, by bad counsel, by strong political pressures, and by his own training, background, and personality."^{ix}

The press of events and the lack of reliable information have historically been used to justify Roosevelt's decision to sign Executive Order 9066. According to this theory, the attack on Pearl Harbor led to widespread fears over a possible Japanese invasion of the West Coast. In the emergency atmosphere, Army officers did not have sufficient information to make an informed decision about whether the Japanese-Americans represented a security threat, and acted hastily to protect the country. It was precisely on this basis that the wartime Supreme Court, in Hirabayashi v. United States (1943) and Korematsu v. United States (1944), upheld the constitutionality of the military's actions. Similarly, champions of the Internment such as columnist Walter Lippmann, Assistant Secretary of War John McCloy, and Los Angeles Mayor Fletcher Bowron each relied on this narrative in their later apologies for their actions. Stating that they were correct to favor evacuation in the wake of Pearl Harbor and the Roberts Report, they claimed they honestly believed that the Japanese-Americans posed a security threat or they accepted the conviction of the military that the threat was real. Other latter-day figures such as the historian Page Smith and the Internment denier Lillian Baker have also based their interpretation of events on this narrative.

The narrative has, however, been largely discredited, both by reputable historians and by the report of the U.S. Commission on Wartime Relocation and Internment of Civilians. First, the narrative denies the obvious importance of such factors as historical anti-Japanese prejudice and economic resentment in prompting calls for evacuation. In addition, it assumes that the Army's expressed justification for the evacuation represented a complete and accurate account of its actions. In fact, in the 1980s a Federal Court explicitly found that the government had knowingly suppressed evidence and presented false information to the Supreme Court as to the basis of the Army's wartime actions, and it thus overturned the convictions of Gordon Hirabayashi and Fred Korematsu for violating the military orders that the Supreme Court had upheld during the war. Whatever truth there is to McCloy's, Bowron's and Lippmann's self-exculpatory explanations, the narrative ignores the disingenuousness that surrounds

them, especially in view of McCloy's documented manipulation of Court evidence, Bowron's patent political self-interest in pushing evacuation, and Lippmann's later insistence that he suggested evacuation only to protect Japanese-Americans from mob violence.

Because the importance of wartime events has been so inflated and distorted by the narrative of Internment defenders, any argument about their role in Roosevelt's decision is suspect and is difficult to resolve fairly. In one sense, the entire evacuation was contingent on events--the President would not have had the same fears over security and Japanese-American disloyalty if tensions between the United States and Japan had not grown to the point of war, and if there had not been a wartime emergency Roosevelt would have lacked the authority to make such an order.

Nevertheless, it does not appear that the actual military situation on the West Coast was directly influential on Roosevelt, since his policy on the Japanese-Americans did not evolve in response to it. Had Roosevelt acted in proportion to actual military conditions, his priorities and his timetable would have been different. Anti-Japanese-American action would have begun directly after Pearl Harbor, and would have focused on Hawaii, where throughout early 1942 Roosevelt expected an imminent invasion. Rather, except to the extent that events such as Pearl Harbor, Japan's conquests in the Pacific and the Roberts Commission Report helped engender military and political hysteria for evacuation, they had little intrinsic relation to the Japanese-Americans.

The only event that had a direct impact on the Japanese-Americans during this period, and which "should" have most directly and strongly influenced Roosevelt's decision, was the January 14, 1942 Order in Council by the Canadian government removing male Japanese national from the Pacific Coast of Canada (The Canadian government subsequently issued an order-in-council on February 26 removing all people of Japanese ancestry). However, this event received hardly any attention in the United States, and there is no evidence that it appeared in any Administration discussions of evacuation.

Similarly, the question of access to information is complex and delicate because of its role in subsequent challenges to the internment. Roosevelt was subjected to false information from numerous sources, both inside and outside the government. The military justified its call for control by spreading (demonstrably untrue) stories of Japanese-American communications with Japanese submarines. The President was also apparently led to believe, either by private sources or by hysterical newspaper accounts or letters, that Nisei saboteurs had actually been arrested on the West Coast. The President's visitors and Cabinet officers repeated stories of Japanese-American farmers poisoning vegetables. Most importantly, most discussions of espionage by the Japanese consulate, notably those by Knox and the Roberts Commission, failed to make the clear distinction between agents brought in from Japan and members of the Japanese-American community.

This tide of misinformation no doubt contributed to Roosevelt's belief that dramatic action had to be taken to curb Issei and Nisei subversives. At the same time, the President was willingly misled. He had access to reliable information, which he ignored, from sources he trusted, notably the FBI, that the Japanese-Americans did not represent a danger. Even before the war with Japan began, Roosevelt had received FBI reports about the nature of the local Japanese community in Hawaii, and he had his own secret intelligence network report on the loyalty of West Coast Japanese-Americans. He was again assured by the FBI and his special investigators after Pearl Harbor that the Japanese-Americans were loyal and that there was no evidence of sabotage in Hawaii. However, he chose not to accept such findings.

In contrast, the president lent credence to the wildest and most unsubstantiated anti-Japanese rumormongering. A few weeks after Executive Order 9066 was signed, for example, Roosevelt told his Cabinet that "friends of his" who had explored the lower California region of Mexico some time previously had uncovered numerous secret Japanese air bases, which could be mobilized for work in concert with Japanese aircraft carriers on bombing raids into southern California. Thus, if the President believed

unsubstantiated reports of fifth column activity by Japanese Americans, it was not simply because he lacked hard information but also because he was prepared to believe the worst, and expected the worst, from them.

Bad counsel was undeniably crucial in bringing about the evacuation. Even such "defenders" of Japanese-Americans as Carter, Munson, and Biddle failed to alert the President until after he authorized evacuation that there was no truth in the hysterical stories about Issei and Nisei fifth-columnists or to insist to him that evacuation was unconstitutional, morally wrong, and racist in its inspiration and support. Rather, they based their arguments against evacuation on the premise that it was unnecessary, and would lower morale and interrupt food production. While this may have been their only possible hope of appealing to the President, an intensely practical man who scorned abstractions, they did not have the evidence or the political clout to prevail on such issues against the evacuationists. Also, Biddle, Carter and Munson fatally compromised their opposition by urging strict controls on the Issei, against whom there was no more evidence of disloyalty than against the Nisei, and by recommending suspension of the writ of habeas corpus if necessary. While they presumably hoped to negotiate a less stringent set of restrictions, they instead played into the hands of the anti-Japanese-American forces, who did not make any such effort. Once they confirmed for Roosevelt the message that there was something to fear, they thereby established the validity of evacuation. The President was then content to leave the issue of whom to include in military hands.

An even more central figure in giving bad counsel was Secretary of War Stimson. As a former Republican Secretary of War and Secretary of State who had come out of retirement to devote himself to the strenuous task of directing the war effort, Stimson had enormous prestige. (Biddle, in contrast, was still in his mid-fifties, and was new to the Cabinet). Roosevelt and Stimson had a longstanding relationship of mutual admiration and trust, dating back to their agreement over the Stimson Doctrine and Japan policy in 1933. Stimson recognized that evacuation of citizens was likely

unconstitutional, but he allowed himself to be persuaded by his Army subordinates and by Roberts that the racial characteristics of the Japanese-Americans made it impossible to determine whether they could be trusted. So influential was Stimson that Biddle ascribed to him the largest share of responsibility for the Internment, stating in his memoirs, "If Stimson had stood firm, had insisted, as he seems to have suspected [may well have believed], that this wholesale evacuation was [wrong and] needless, the President would have followed his advice." (bracketed sections from original manuscript draft).^x

This assessment, although doubtless true, overstates the reality. Stimson was the most prestigious advocate of evacuation, and had strong elitist prejudices against racial minorities.^{xi} Yet, paradoxically, he was also the most aware of all the officials involved of the racial discrimination inherent in mass removal of the Japanese-Americans. Stimson pondered the necessity of evacuation carefully, and he sought to arrange a meeting with the President to discuss these concerns before taking action. It is thus quite possible that if Roosevelt had questioned the necessity for Internment, Stimson would have abandoned the idea. Biddle may also have had an interest in shifting blame for the evacuation from FDR, his patron, to Stimson. In his praise for Roosevelt's decision to veto East Coast evacuation, Biddle downgrades the influence of Stimson: "The President knew at once when mass evacuation simply would not do. He would have made the same decision irrespective of any recommendation of the Secretary of War." If Roosevelt was ready to ignore Stimson's judgment on East Coast evacuation, the Secretary of War's influence on West Coast policy was surely not in itself decisive.

The political pressures on the President were enormous, and must be assigned significant weight in explaining the final decision. First, there were political considerations in FDR's relationship with the War Department, as Stimson and McCloy were both prominent Republicans who helped assure bipartisan support for the war effort in Congress. Similarly, there was a strong political consensus in favor of evacuation in Congress and on the West Coast. Roosevelt was aware from government

sponsored polls and from the letters and lobbying he was receiving that a solid phalanx of West Coast opinion favored military control of Japanese Americans. The Leland Ford-Clarence Lea ad hoc committee, which claimed to represent the entire West Coast House delegation, lobbied for evacuation and even sent Roosevelt a plan. Several Pacific Coast Senators, including Hiram Johnson and Mon Wallgren, also joined the call for "removal". Numerous Pacific Coast state governors and other elected officials, notably California Governor Culbert Olson and Attorney General Earl Warren, also spoke publicly in favor of evacuation.^{xii} The opinion of Olson and Warren, two respected moderates, likely played a part in persuading Roosevelt of the necessity for evacuation.

In contrast, before Executive Order 9066 was signed there were only a handful of letters opposing evacuation, and no coordinated public protest by liberal or religious forces. Even the Japanese-American community itself did not offer united resistance. It had been weakened and divided by the incarceration of the Issei leadership in the "ABC" raids after Pearl Harbor. While the young Nisei leaders opposed evacuation in principle, their newspapers and organizations (notably the Japanese American Citizens League) pledged cooperation with the government as a means of proving their loyalty. In the face of such one-sided pressure, it did not require any great sense, let alone FDR's consummate political skills, to determine that some form of action against Japanese Americans was prudent.

However, even if we accept that the public outcry was a crucial element in the President's decision, it does not follow that Roosevelt ordered the evacuation out of simple political expediency. Rather, public support is the engine of democratic government, especially in wartime. Roosevelt was aware that white hysteria and racial tension over "the Japanese problem," even if the fears of disloyalty were groundless, itself interfered with production of food and essential goods and detracted from the fragile sense of national purpose which was crucial to the success of the war effort. In particular, he needed to keep up morale on the West Coast, where the main shipbuilding

and port facilities for the defense of the Pacific were located, where there was a large concentration of war industry, and where the lion's share of the nation's produce was grown.

In the weeks before Pearl Harbor the President asked his agents to work out a campaign to calm racial tensions and reduce the chance of anti-Japanese-American violence. He clearly determined at length that such tensions could not be cooled, and that even a large-scale evacuation was less costly than paralysis due to low morale or race riots. (Although several postwar writers rationalized the evacuation and Internment on the ground that the government sought to protect Japanese-Americans from mob violence, it should be added that there is no evidence that protection per se was ever a consideration in Roosevelt's final decision).

To take a similar case, after the Roberts Report on Pearl Harbor was released, Roosevelt faced the problem of how to handle the cases of Admiral Kimmel and General Short, the Hawaiian Commanders whom the Report had charged with dereliction of duty. While the President originally left matters to the military, which temporized, a month later he decided a court martial was necessary. Stimson commented in his diary that Roosevelt, a master of judging public opinion, realized there was no choice but to hold a trial, in view of the strength of public clamor for punishment. Stimson added that the President agreed that the two officers were being made scapegoats for the country's general pre-war mood. Nevertheless, given the strength of public opinion, the best he could do was to devise some face-saving way to delay the trial until after public passions cooled.^{xiii}

All these factors, however important, do not suffice to explain why FDR signed Executive Order 9066. In the final analysis, to understand Roosevelt's decision we must also explore the question of individual character, or what Milton Eisenhower referred to as FDR's own "training, background, and personality." The psychological portrait of any individual, especially one of such a complex and enigmatic historical figure as Franklin Roosevelt, is bound to be oversimplified and distorted, and so judgments along these

lines are necessarily speculative and imprecise. In relating a President's decisions to previous events in his life, particularly his inner life, the historian must be wary of the temptation to present a given action as an inevitable product of past experience and to ignore the contingent circumstances in which it took place. However, it *is* possible to discover continuing patterns of thought or conduct that may dispose an individual to behave or react in a certain way. By this standard, Roosevelt's past feelings toward the Japanese-Americans must be considered to have significantly shaped his decision to evacuate. FDR had a long and unvaried history of viewing Japanese-Americans in racialized terms, that is, as essentially Japanese in their identity and emotional allegiance, and of expressing hostility toward them on that basis. In the years before World War I, Roosevelt considered immigration part of the Japanese threat to the West Coast. During the 1920s, when Roosevelt urged better relations with Japan, he supported immigration restriction and legal discrimination on racial grounds in order to prevent Japanese-American settlement. His willingness to pander to popular prejudice against the Japanese Americans in a time of peace anticipates his failure to defend the citizenship rights of a despised minority in the face of hysterical wartime demands for their incarceration. Several years before World War II started, Roosevelt became personally engaged in efforts to monitor the Japanese-Americans and to prepare plans for dealing with them as part of preparations for war with Japan, and he approved surveillance and tolerated racial discrimination in defense industries on the assumption that Nisei could not be trusted. In the months before the war began he enlisted his intelligence network to report to him on the threat of Japanese-American disloyalty, and he increased his efforts to identify and control "saboteurs" even after being reassured that no threat existed. In contrast, he made no such assumptions regarding Americans of German or Italian ancestry.

Roosevelt's view that the character of different ethnic and racial groups was biologically inherited, and the influence of such ideas on his policy decisions, expanded during the war years, even though such Social Darwinist racial theories had begun to be

discredited by the anthropological writings of Franz Boas, Ruth Benedict and others. In Spring 1942 maintained an extended correspondence with Dr. Ales Hrdlicka, an anthropologist at the Smithsonian Institution, on the warlike nature of the Japanese, which Hrdlicka attributed to the less evolutionaryily developed skulls of the Japanese.^{xiv} His attitude towards the Japanese as a savage "race" was also reflected in his private conversation. As his assistant William Hasset recounted, in August 1942 "[t]he President related an old Chinese myth about the origin of the Japanese. A wayward daughter of an ancient Chinese emperor left her native land in a sampan and finally reached Japan, then inhabited by baboons. The inevitable happened and in due course the Japanese made their appearance."^{xv}

Roosevelt's words and actions both before and after Pearl Harbor point to his acceptance of the idea that Japanese-Americans, whether citizens or longtime resident aliens, were still Japanese at the core. He regarded them as presumptively dangerous and disloyal on racial grounds. There might well be some loyal individuals: Roosevelt was willing to make exceptions for Japanese-Americans of demonstrated loyalty once properly vouched for, and during fall 1941 he approved John Franklin Carter's plan to organize protection for "the loyal Japanese" in case of war. However, in the absence (and sometimes in the presence) of evidence of loyalty, the presumption remained. When Carter's "Roosevelt" character is asked about the feelings of Japanese-Americans who were deported "because they had slant eyes and yellow skins", he remarks coolly, "Their patriotism was suspect."^{xvi}

Roosevelt's decision to approve the race-based exclusion of West Coast Japanese Americans followed logically from his view that they were incapable of being true Americans. Already in his 1920s articles, FDR justified discriminatory legislation by "Americans" towards a group he gratuitously referred to as "unassimilable aliens". His refusal to admit discriminatory intent in the race-based exclusion of Japanese immigrants during the 1920s also suggests a wilful blindness towards the role of racial

bigotry in catalyzing Californians with longtime nativist grudges to press for the evacuation of the Japanese-Americans from the West Coast.

Roosevelt's inner attitudes may also have shaped his response to the constitutional issues involved in the evacuation. Admittedly, in addition to enormous political courage (which only a few prominent Americans showed), it would have required enormous belief in the Constitutional rights of all citizens to have overridden the initial clamor for action against the "Japs." However, FDR gave little evidence of constitutional scruples at any time. In his view, fortified by Biddle (who was in turn backed by the Cohen-Cox-Rauh memo), the President had authority under his wartime powers to take whatever action he deemed necessary to the defense of the country. On February 26, 1942, a week after signing Executive Order 9066, Roosevelt sent a memo to Navy Secretary Knox, who had renewed his advocacy of the evacuation of Japanese-Americans in Hawaii. "Like you, I have long felt that most of the Japanese should be removed from Oahu to one of the other islands," he wrote. "I do not worry about the constitutional question -- first, because of my recent order and, second, because Hawaii is under martial law."^{xvii} If the government could declare martial law, as in Hawaii, it could take less disruptive steps where necessary to meet a crisis. Roosevelt was not visibly troubled by the violation of the Internees' civil rights. Biddle felt he was actually hostile to the entire concept of rights: "If anything, he was a little afraid that the civilians might be too soft in nurturing "rights". He disliked any theoretic approach and the word conveyed to him something that was visionary and impractical and had none of the urgency of the task ahead."^{xviii}

Perhaps the most decisive part Roosevelt's anti-Japanese-American prejudice played in his decision to approve evacuation was in fostering a moral indifference. Although he may have been politically pressured and badly advised, the President was not ignorant or uninformed on the "Japanese problem." Indeed, Roosevelt was kept well apprised of the situation. However, in the final analysis he did not care enough about the Japanese-Americans to intervene on their behalf or to become deeply involved in their

concerns, especially if it meant opposing public opinion and the military. He refused Carter's and Munson's pleas that he issue a statement of support for the loyal Japanese-Americans, which would have defused at least some of the hysteria against them, and he declined to grant Archibald MacLeish's plea for a speech urging calm on the West Coast. Similarly, as long as the Army promised to be "reasonable" in dealing with the Japanese-American menace, FDR was prepared to sign orders "so the Army could handle the Japs," without making any effort to determine whether any necessity existed or if a less extreme policy could be designed.^{xix} He did not ask the tough questions that would have revealed the flimsy reasoning behind the military's policy and its failure to make a specific showing of necessity.

Roosevelt's unquestioning acceptance of evacuation was paralleled by his lack of interest in exploring the issue. Clearly the rights of Japanese Americans were a less-than-vital consideration for him. When Stimson asked to speak to Roosevelt in order to make the case for evacuation, FDR stated that he was too busy for a meeting (although he called Stimson in to discuss other issues the same day) and he instead told the Secretary of War to do whatever he thought best. He silenced Eleanor Roosevelt when she lobbied against extreme measures. The President was equally casual about the practical considerations involved in removal. To be sure, none of the Army or government officials involved in the evacuation seems to have foreseen that it would inevitably lead to mass incarceration. Nevertheless, Stimson complained after a Cabinet meeting a week after the Order was signed that Roosevelt had "given very little attention to the principal task of the transportation and resettlement of the evacuees".^{xx} In particular, FDR failed to respond to repeated requests from his advisors in the weeks before February 19 to appoint a powerful alien property custodian to protect Japanese-American property, with the result that the evacuees lost millions of dollars of property through theft or fire sales.

What emerges from an examination of the various factors leading to Executive Order 9066 is a pragmatic decision, made by a practical-minded president in a time of

crisis. The decision thus fits well into Roosevelt's leadership style, made famous by New Deal historians. Yet, FDR's pattern of conduct towards Japanese Americans highlights the negative face of such pragmatism. The President's attitude toward the Japanese-Americans was marked by what John Hersey termed a "grand offhandedness."^{xxi} Unlike Stimson, who was tortured by doubts over the morality and constitutionality of making racial distinctions and removing American citizens, the President displayed no worry or hesitation over evacuation and its consequences. In the words of Attorney General Francis Biddle, "I do not think he was much concerned with the gravity or implications of this step. He was never theoretical about things."^{xxii}

Roosevelt's failure was a lack of compassion, or, more precisely, of empathy.^{xxiii} Although the President may have seen the evacuation as entirely a matter of military judgment, underlying his approval of that plan was a carelessness toward innocent people that was born of prejudice. Although he had genuine humanitarian instincts, his paramount object was leading the country to victory in a conflict of global proportions and unprecedented destructiveness. The rights of American citizens, especially those of Japanese ancestry, paled in comparison. As James MacGregor Burns commented, FDR either did not consider the consequences of his order on Japanese-Americans or he simply "wrote them off" as part of the price of winning the war. When John Franklin Carter's "Roosevelt" is challenged about his decision, he says, "When the war is over, they'll go back....It's a small matter compared to the war itself."^{xxiv} This insouciant remark, though fictionalized, appears to sum up the real Roosevelt's view. The sin that pervades the President's decision to approve evacuation was not one of malice but of indifference.

ⁱ. Numerous studies have been made of the legal and Constitutional issues involved in the Internment, including Eugene Rostow, "Our Worst Wartime Mistake" Harper's, v. 191 (1945), pp. 193-201; Jacobus tenBroek, Edward N. Barnhart, and Floyd W. Matson, Prejudice War, and the Constitution, Berkeley: University of California Press, 1954; Peter Irons, Justice at War, New York: Oxford University Press, 1983; and most recently, Chief Justice William H. Rehnquist, All the Laws But One: Civil Liberties in Wartime, New York:Knopf, 1998.

ⁱⁱ. James MacGregor Burns has argued that Roosevelt did not really approve evacuation. According to Burns, since there was no powerful moral opposition to evacuation, the President was not faced with a compelling choice or alternative, but was instead confronted with a War Department memo designed "simply to put the onus of decision on him." His leaving matters up to the War Department was simply a means of passing the buck back to them. James MacGregor Burns, Roosevelt: The Soldier of Freedom, New York: Harcourt Brace Jovanovich, 1970, p. 216. This theory lacks validity. Apart from the fact that a President's task is to be responsible for policies and to make the toughest decisions, Roosevelt consciously endorsed evacuation as a matter of military necessity, and repeatedly approved the military's conduct in the months that followed.

ⁱⁱⁱ. Francis Biddle, In Brief Authority, p. 219.

^{iv}. Jay Franklin (John Franklin Carter), The Catoctin Conversation, New York: Scribner's, 1947, pp. 195-196. Interservice rivalry may have played a part in the abstention of the President's decision. Roosevelt considered himself an old Navy man, so much so that his Chief of Staff, General George C. Marshall, once complained "At least, Mr. President, stop speaking of the Army as 'they' and the navy as 'us'". Forrest C. Pogue and Gordon Harrison, eds., George C. Marshall Vol.1, Education of a General, 1880-1939, New York, Viking 1963. Indeed, the same week that the President made the decision to approve evacuation, Stimson wrote in his diary that Marshall had reported being staggered by the President's angry comments to him over the Navy's stupid, antiquated, and hidebound leadership. Because of his knowledge of naval matters, he often interfered in Naval policy. In contrast, he felt less familiar with Army policy, and tended to leave the Army alone.

^v. Irons, Justice at War, p. 61.

^{vi}. Roosevelt's inquiry into whether any enemy aliens had been working on the project is another did not turn up any results. See Memo From the

President, February 18, 1942, 1942 File, Official File 133 (Immigration), FDRL.

vii. Memo, The President to the Secretary of War, May 5, 1942, PSF 197-A, FDRL; Henry L. Stimson, Cabinet Meeting Notes, May 15, 1942. Henry L. Stimson Diary, Henry Stimson Papers, Yale University (microfilm copy in FDRL); Secretary of War, Memorandum For The President, May 14, 1942. RG 107, National Archives, reprinted in CWRIC Papers, p. 311 (Reel 1, p. 311).

viii. Francis Biddle, "Attorney General" manuscript, pp. 394-396, Box 4, Francis Biddle Papers, FDRL.

ix. Milton S. Eisenhower, The President is Calling, Garden City, NY: Doubleday, 1974, p. 126.

x. Francis Biddle, In Brief Authority, p. 220; Francis Biddle, "Attorney General" manuscript, p. 418.

xi. Interestingly, at the same time Stimson debated Japanese-American evacuation, he was forced to respond to demands for fair treatment by other minorities. In his diary entry of January 25, 1942, Stimson described his efforts to dissuade Office of Facts and Figures Director Archibald MacLeish from making a speech about discrimination against blacks in the Armed Forces by presenting his own "life history" as a descendant of an abolitionist family and sympathizer with racial equality and by arguing that blacks were incompetent except when commanded by white officers. Henry Stimson Diary, January 25, 1942, Henry L. Stimson Papers, Yale University (microfilm copy in FDRL).

xii. JACL lobbyist Mike Masaoka later stated that then-California Attorney General Earl Warren's advocacy was decisive in the President's decision. According to Masaoka, the involvement of a respectable moderate such as Warren in the movement for evacuation helped reassure Roosevelt, who disdained Leland Ford and the Congressional promoters of evacuation as extremists and bigots, that there was a real problem. Mike Masaoka, "introduction", in Japanese Relocation Reconsidered, Earl Warren Oral History Program, Bancroft Library, University of California, Berkeley, 1973, p. x. This claim is almost certainly exaggerated, although FDR clearly did not think much of the race-baiters and (as will be discussed in a later chapter) he respected Warren and sought his involvement in promoting return of Japanese-Americans to the West Coast in 1944.

xiii. Henry L. Stimson Diary, January 26, February 25, 1942. Henry Stimson Papers, Yale University (microfilm copy in FDRL).

xiv. Christopher Thorne, Allies of a Kind: The United States, Britain, and the War Against Japan, 1941-1945 New York: Oxford University Press,

1978, pp. 158, 167-68. Thorne points out that Roosevelt discussed the racial character of other groups, claiming to Churchill that he had always "disliked the Burmese" but that the Vietnamese were no threat because they were a small, pacific race. During mid-1942. Roosevelt commissioned Hrdlicka (who subsequently dropped out), Henry Field, and Johns Hopkins University an entire secret study on the racial factors involved in migration and resettlement of refugees. See Henry Field, "M" Project for F.D.R.: Studies on Migration and Settlement, privately printed by Henry Field, 1962.

^{xv}. Entry for August 18, 1942, William D. Hassett, Off The Record With F.D.R., New Brunswick, NJ:Rutgers University Press, 1958, p.104.

^{xvi}. This brief comment requires some textual exegesis, since in the published version of The Catoctin Conversation, (p. 195) "Roosevelt" answers that the Japanese-Americans "have shown superb patriotism." An examination of Carter's original manuscript at the Argosy Book Store in New York reveals that the original line was "Their patriotism was suspect," a more logical statement in context. (If the Japanese-Americans' patriotism was "superb", why approve evacuation?) An editor must have misread "suspect" as "superb", an easy mistake to make given the appearance of the letters "ect" in Carter's odd handwriting (only a few paragraphs above the passage in question, Carter's manuscript word "expect" was illogically rendered in the published book as "except") and altered the verb tense accordingly. The virtual absence of corrections by Carter in the manuscript or other differences between the manuscript and published text lends credence to the supposition that the alteration was simply the fruit of an unchecked editorial error.

^{xvii}. Memorandum, President to the Secretary of the Navy, February 26, 1942, reprinted in Roger Daniels,ed. American Concentration Camps, Volume 3 February 20, 1942-March 31, 1942 New York: Garland Publications, 1989, Section 1: "Archival Documents, February 20, 1942-March 19, 1942." On its face, the memo seems to imply that the President believed his order for the evacuation of the Japanese-Americans on the West Coast, where martial law had not been declared, was unconstitutional. However, this interpretation is questionable, given that both Biddle and the Cohen-Cox-Rauh team had stated their opinion that the action was constitutional. It may be that, despite his mention of internment in Hawaii (actually on the "leper island" of Molokai), the President was referring to the possibility of involuntary transportation of American citizens to the mainland, which the Attorney-General considered constitutionally dubious.

^{xviii}. Francis Biddle, "Attorney General" manuscript, p. 396.

^{xix}. Michi Nishiura Weglyn, Years of Infamy, p. 73. Weglyn argues that the phrase, which comes from Attorney General Biddle's letter to

Roosevelt dated April 17, 1943, is a quote from the President. Though this is uncertain, it neatly expresses Roosevelt's attitude.

^{xx}. Notes of Cabinet Meeting, February 26, 1942, Henry L. Stimson Diary, Henry Stimson papers, Yale University (microfilm copy in FDRL).

^{xxi}. John Hersey, "A Mistake of Terrifically Horrible Proportions," in John Armor and Peter Wright, Manzanar, pp. 53-54.

^{xxii}. Biddle, In Brief Authority, p. 235.

^{xxiii}. James MacGregor Burns, Roosevelt: The Soldier of Freedom, p. 267.

^{xxiv}. John Franklin Carter, The Catoctin Conversation, p. 194.