

does occur and to repair physical damages done to the ecology or communities during years of military use; and copies of this resolution be transmitted forthwith to the President of the United States and to each member of both houses of Congress; and

The United Church of Christ congregations be invited to pray for the people of Vieques and to advocate for the withdrawal of U.S. military presence from the island of Vieques.

## 12. RESOLUTION ON REDRESS/REPARATION TO JAPANESE AMERICANS

Mr. Wilson called on Russell Bennett (KO), Chairperson of the small group that considered the Resolution on Redress/Reparations to Japanese Americans, who indicated that the Position Statement In Support of Redress/Reparations to Japanese Americans is to be attached to the resolution. He reviewed the resolution, stressed its urgency, and moved its adoption. It was

81-GS-71 VOTED: The Thirteenth General Synod adopts the Resolution on Redress/Reparation to Japanese Americans.

### RESOLUTION ON REDRESS/REPARATION TO JAPANESE AMERICANS

The Thirteenth General Synod of the United Church of Christ affirms redress/reparation to all those who suffered evacuation/incarceration as a result of Executive Order #9066, which includes:

- Making available to individuals or their heirs, monetary compensation for property losses, and that these persons will include all those who suffered evacuation/incarceration as a result of Executive Order #9066.
- Exposing the racism inherent in the legal cases that justified the evacuation/incarceration, and overturning the decisions that were made and exonerating the parties to the cases.
- Supporting others who solely on the basis of race or ancestry have suffered or are suffering from similar unjust actions taken by the United States government.

The Thirteenth General Synod of the United Church of Christ calls upon the United Church of Christ Board for Homeland Ministries, Office for Church In Society, the Commission for Racial Justice, and the Office of Communication, to provide educational resources during this biennium to the churches of the Conferences on the history of evacuation/incarceration of American citizens and residents of Japanese ancestry, and on the concerns of the President's Study Commission on Wartime Relocation and Internment of Civilians Act.

The Thirteenth General Synod of the United Church of Christ urges the Office for Church In Society to present testimony to the President's Study Commission on Wartime Relocation and Internment of Civilians Act supporting redress/reparations to Japanese Americans (or their heirs) incarcerated as a result of Executive Order #9066.

## POSITION STATEMENT IN SUPPORT OF REDRESS/REPARATIONS TO JAPANESE AMERICANS

### PURPOSE:

The purpose of this position statement is to support redress/reparations to Japanese Americans and to call attention to the history of the incarceration of Japanese Americans during World War II and to the current concerns related to the President's Study Commission on Wartime Relocation and Internment of Civilian Act.

### BACKGROUND:

During World War II, on Feb. 19, 1942, President Franklin D. Roosevelt signed Executive Order #9066 that authorized the removal and incarceration of 120,000 persons of Japanese ancestry, both citizens and resident aliens of America residing in the states of Oregon, Washington, California, Pacific coast states of Mexico, Central and South America, Alaska and Hawaii. Imprisonment was in concentration camps scattered throughout the most desolate areas of California, Utah, Colorado, Wyoming, Texas and Arizona. All were deprived of liberty and property without criminal charges and without trial of any kind. The rationale for the action was "military necessity." However, according to documents discovered later, the Japanese Americans were imprisoned on the sole basis of race and ancestry, an action that constituted a gross violation of human rights guaranteed by the Bill of Rights and the Constitution.

This segment of the American history that has been buried and ignored, happened 38 years ago at the time United States was fighting Hitler's racism in Europe.

*Concerns of this unjust act were expressed at the 6th Regular Meeting of the Council of the Congregational and Christian Churches of the United States on June 18, 1942 at Durham, New Hampshire. A resolution deploring "the fact that all persons with any Japanese blood, citizens as well as aliens, were as a group subjected to evacuation without hearing or other means of determining loyalty; pledging support to the Congregational Christian Committee for Work with Japanese Evacuees, etc. . . ." was adopted and copies of the resolution were sent to the President, Governors of States, and to members of Congress.*

### BIBLICAL AND THEOLOGICAL RATIONALE:

The case of redress/reparation has a strong moral and legal basis. Documents point to the fact that at the time military orders were issued for the removal and incarceration of Japanese-Americans, marital law was not declared, the writ of habeas corpus was not suspended, the civic courts were in full operation, and anyone charged with espionage or sabotage could have been brought to trial. Yet, even with this document, several legal doctrines or principles stand as barriers to such redress/reparations. One is timeliness. The doctrine of laches provides a court with the right to refuse relief by discussing a suit because of "unreasonable and unexcusable delay."

The other barrier is the principle of *sovereign im-*

munity. It is based on the feudal concept that the king could do no wrong. This principle holds that the state and its agents cannot be held liable for wrong unless the state waives its immunity and consents to be sued.

While recent U.S. Supreme Court cases have held the government's immunity is not absolute, it represents a barrier to redress/reparations because a finding of liability by the state is not one the courts readily make (Chuman, Amy, "The Legal Case of Reparations," *The Asian American Journey*, November 1980, pp. 16-17)

Yet, even with the apparent legal barriers, a reading of scripture suggests that the case for redress/reparations has a Biblical/Theological basis. Glimpse of that come to us from Exodus 22:21 (wrong-doing); Exodus 21:37; Numbers 5:5-7 and Luke 19:1-10 (restitution) and Micah 6-8 (justice).

The account of Exodus 22:21 is clear in its declaration that wrong-doing against aliens is prohibited. The account of Exodus 21:37 and Numbers 5:5-8 deals with laws regarding property damages and restitution that is due in such cases.

After restitution is made, an additional fine of one-fifth the total value is also due.

Though one may question the application of Old Testament Law in the present situation of Japanese Americans seeking redress/reparations, it is striking to note that the account of Luke 19:1-10 indicates that Zaccheus says, "I am ready to repay him four times over." Jesus said to him "Salvation has come to this house today."

The Federal Reserve Bank of the U.S. Government has estimated that the Japanese American community suffered a loss of at least \$400 million worth of property as a result of the incarceration. Although the Japanese American Evacuation Claims Act of 1948 permitted Japanese Americans to make claims for personal and real property losses, the total awards made by the Commission amounted to only \$38 million.

The account of Micah 6:8 calls for justice. It is evident from a variety of documents that a wrong was committed. It is also evident that restitution, that in some form of redress/reparations is due whether it be in terms of an additional fine of "one-fifth the total value." (Numbers 5) or "four-times over" (Luke 19).

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#### 13. RESOLUTION ON LEARNING A SECOND LANGUAGE AS A CHRISTIAN WITNESS

Mr. Wilson called on Joy Edwards (RI), Chairperson of the small group that considered the Resolution on Learning a Second Language as a Christian Witness, to make the report. Mrs. Edwards noted these wzge no substantive changes in the resolution and moved its adoption.

The Moderator recognized Elaine Marheine (IK) who moved to amend the motion by adding a new paragraph 3 on the second page of the resolution to read: "Calls upon Christians to affirm the language of the deaf as unknown and foreign to us. Lack of ability to communicate with individuals having a hearing disability puts an invisible barrier between persons," and to re-number the remaining paragraphs. This was accepted.

It was

81-GS-72 VOTED: The Thirteenth General Synod adopts as amended the Resolution on Learning a Second Language as Christian Witness.

#### RESOLUTION ON LEARNING A SECOND LANGUAGE AS A CHRISTIAN WITNESS

##### Summary

The resolution documents the incompetence of U.S. residents in foreign languages and explains the special mandate which Christians have to take the lead in learning how to communicate with other peoples in their own tongues. It calls on UCC instrumentalities to incorporate into their work a new stress on the acquisition of competence in a second language, and for UCC pastors, lay leaders, parents, and educational institutions to do the same.

##### Preamble

The United Church of Christ seeks to be a part of that thrust toward universal human community which stands at the heart of Biblical tradition.

##### Background

As Christians in the United States, we recognize a legitimate interest in our nation's ability to conduct our diplomacy, our business, and our cultural affairs abroad with the sensitivity and subtlety which comes from knowledge of foreign languages. But as Christians we must also see language skills in the larger perspective of loyalty to God's Kingdom. That Kingdom is one of justice and human fulfillment, in which all indi-