

Let us not repeat a WWII travesty *'Alien enemies' suffered during time of crisis*

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Monitor editorial

Attorney General John Ashcroft's request for broader power to investigate, detain and deport aliens deserves great scrutiny. We traveled a similar path during World War II - with alarming results.

After Pearl Harbor, President Franklin D. Roosevelt granted Attorney General Francis Biddle plenary authority over 900,000 German, Japanese and Italian "alien enemies" under the Alien Enemies Act. Stripped of their constitutional rights, aliens were afforded little due process. The Department of Justice established its own standards justifying indefinite internment, then acted as prosecutor and judge. This unknown program is distinct from the removal of 120,000 persons of Japanese ancestry to Wartime Relocation Authority camps.

All alien enemies were subject to travel and property ownership restrictions. Some were even forced to abandon their homes and places of work.

J. Edgar Hoover's FBI raided thousands of homes seeking evidence against suspected fifth columnists. Search warrants were secret or waived. Thousands were arrested and detained indefinitely awaiting the Department of Justice's final decision on their fate.

The U.S. attorney and the FBI appeared before appointed civilian hearing boards to give evidence, mostly uncorroborated tips and innuendo. The accused could present but two character witnesses and had no right to counsel or to know the reason for detention. Hearing boards recommended release, parole or internment.

In passing final judgment, the Department of Justice, which appointed the hearing boards, often ignored more lenient recommendations, ordering internment if it found a suspect "potentially dangerous to the public peace and safety of the United States." No right of administrative appeal or judicial review existed. On rare occasions, the department granted rehearings.

Similarly, the department now proposes indefinite alien detention upon its certification of a potential security risk, with no right of judicial review.

More than 25,000 aliens were interned, including 11,000 Germans, 11,000 Japanese and 3,300 Italians. These internees, including many American-born children and spouses, languished in Immigration and Nationalization Service-administered camps throughout the United States. Thousands were exchanged for Americans in Germany.

Families were torn apart and homes lost. Resources that could have helped win a war were wasted.

Internment should have ended in 1945, but Truman required hundreds of "potential security risks" to remain interned years after the war. They had no means of escape except deportation, until the courts finally ordered their release.

Internees and relocatees of Japanese ancestry were granted government redress and an apology. As required by Congress, the Department of Justice is now assessing our government's World War II violations of Italian American civil liberties. The recently proposed Wartime Treatment of European Americans and Refugees Study Act would create an independent commission to study the World War II experience of persons of German and Italian ancestry to suggest ways to protect civil liberties during national emergencies.

If heeded, the lessons of the past could offer much-needed guidance.

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