



Justice at War

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Justice at War

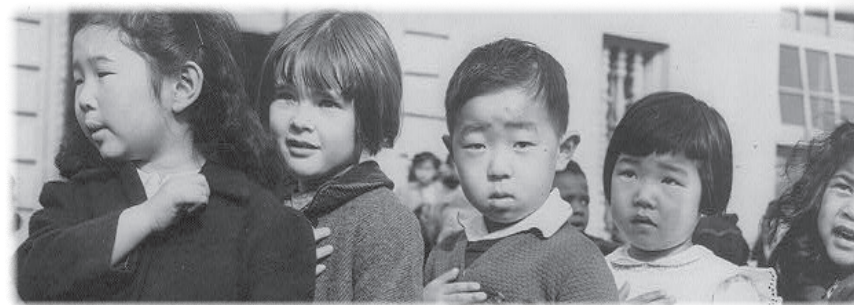
On 7 December 1941, Japanese warplanes bombed the U.S. naval base at Pearl Harbor. During the attack 2,403 people were killed and 80% of U.S. Naval warships in the Pacific were sunk. Many U.S. citizens feared a Japanese invasion and demanded action. In response to the attack, President Roosevelt issued Proclamation No. 2525 restricting travel for Japanese Americans, and authorizing the detention of any alien enemy who appeared dangerous. Two months later, the President issued Executive Order 9066, establishing military zones along the West Coast. The order set the stage for the exclusion of Japanese Americans from those zones.

Citing the threat of further attacks, and suspicious radio transmissions from the West Coast, the War Relocation Authority ordered the evacuation and detention of over 110,000 Japanese Americans into internment camps. While no Japanese American was ever convicted of sabotage or espionage against the United States, men, women, and children of Japanese ancestry were forced from their homes and detained in camps, often under harsh conditions.

Recruited by a lawyer from the American Civil Liberties Union, Mitsuye Endo declared that her detention in the Topaz Internment Camp was unconstitutional; she had never been charged or convicted of a crime. She took her case all the way to the U.S. Supreme Court. Defending the government's actions, Solicitor General Fahey cited the constitutional right to suspend a person's right to a trial (the *Writ of Habeas Corpus*) in cases of rebellion or invasion. Abraham Lincoln had suspended the *Writ of Habeas Corpus* during the Civil War. The Supreme Court had heard four cases regarding the Japanese internment camps prior to that of Miss Endo's. In each instance they determined that the government's actions were constitutional.



Justisa na Tenpu di Gerra



7 di Dizenbru di 1941, aviau di gerra Japunes bombardia bazi naval di Stadus Unidu, na Pearl Harbor. Duranti es ataki 2,403 algen morre y 80% di navius di gerra di Stadus Unidu na Osianu Pasifiku ba fundu. Txeu sidadau amerikanu ku medu di invazau di Japau izigi guvernu pa tuma un midida. Prizidenti Roosevelt risponde a es ataki ku Diklarasau No. 2525 ki ta limita viagi di Japunes-Amerikanu, y el autorizau pa prende kualker inimigu strangeru ki parse prigozu. Dos mes mas tardi, Prizidenti publika Ordi 9066, ki kria zona militar pa tudu Kosta Oesti di Stadus Unidu. Es ordi foi dadu pa pode mante Japunes-Amerikanu fora di kes area.

Dividu a amiasa di mas ataki, y transmisau na radiu, originariu na Kosta Oesti di pais, ki ta labanta duvida, Ajensia Federal di Rialujamentu na tenpu di gerra, manda ivakua e prende mas di 110,000 Japunes-Amerikanu y pos na kanpu di konsentrasau. Apezar di ninhun Japunes-Amerikanu ser kondenadu pa sabutajin o spionaji kontra Stadus Unidu, homis, mudjes, y mininus disendentis di Japunes foi obrigadu txeu bes a sai di ses kaza y fitxadu na kanpus di konsentrasau na mau kondisau.

Kantu Mitsuye Endo foi txumadu pa un divogadi di Sindikatu di Direitu Sivil Amerikanu, el deklara ma tenel presu na Kanpu di Konsentrasau di Topaz e inkonstitusional. El fra me ka foi nunka akuzadu o kondenadu di ninhun krimi. El leba se kazu te Supremu Tribunal di Justisa Amerikanu. Prokurador Geral, Fahey, pel pode difende guvernu, fra ma konstitusau pode tra kalker algen se direitu a julgamentu (**puder di manda na bu propi pesoa**) na kazu di ribeldia o invazau. Abraham Lincoln uza es direktu, Writ of Habeas Corpus, duranti Gerra Sivil. Supremu Tribunal obi kuantu kazu sobri Japunes ditidu na kanpu di konsentrasau antis di kazu di Senhora Endo. Na kada un di kes kazu, tribunal disidi ma asau ki guvernu tuma era konstitusiunal.

Justice at War transports you to the critical moment in 1944 when Mitsuye Endo case is brought before the U.S. Supreme Court. In role as Supreme Court Justices, you will hear testimony, interrogate witnesses and reflect on crucial questions raised by the case. Finally, you will decide whether or not the government has the constitutional right to detain Miss Endo, and other citizens of Japanese-American ancestry, in camps for the remainder of the War.

Questions to consider

- Under what circumstances should the government be granted the right to detain citizens without a trial?
- In times of war, should individual rights be sacrificed in the interest of public safety?
- Were the camps necessary for national security, given the threat of invasion?
- Could racism have played a role in the decision to place Japanese Americans in internment camps?

Arguments for Keeping Camps Open

Arguments for Closing the Camps

Justisa na tenpu di Gerra ta lebabu a un mumentu krusial na 1944 kantu kazu di Mitsuye Endo prezentadu na Supremu Tribunal. Na bu papel di Juiz di Supremu Tribunal, bu ta obi dipuimentu, interroga tistimunha y studa preguntas inpurtanti kriadu pa es kazu. Finalmenti bu ta pode disidi si guvernu ten o ka ten direitu konstitusiunal pa dixa Sinhora Endo y otus sidadau di disendensia Japunes- Amerikanu na kadia pa restu di tenpu di gerra.

Perguntas pa analiza

- Na ki sirkustansia guvernu debe ten direitu di prende se sidadau sen julgamentu?
- Bu ta atxa ma na tenpu di gerra direitu di sidadau debe ser sakrifikadu pa interesi di suguransa publiku?
- Era kanpu di konsentrasau nisisariu pa suguransa nasional,devidu a amesa di invazau?
- Sera ki rasismu kontribui na disizau di poi Japunes-Amerikanu na kanpu di konsentrasau?

Razau pa mante Kanpu di Konsentrasau abertu

Razau pa Fitxa Kanpu di Konsentrasau

1869: The first Japanese to settle on the U.S. mainland arrive at Gold Hill near Sacramento, California.

1870: The U.S. Congress grants naturalization rights to free whites and people of African descent, omitting mention of Asian races.

1911: The U.S. Bureau of Immigration and Naturalization orders that declarations of intent to file for citizenship can only be received from whites and from people of African descent, thus allowing courts to refuse naturalization to the Japanese.

1913: The Alien Land Bill prevents Japanese aliens from owning land in California.

1924: Congress passes an Immigration Act stating that no alien ineligible for citizenship shall be admitted to the U.S. This stops all immigration from Japan.

7 December 1941: Japan launches a surprise attack on Pearl Harbor.

8 December 1941: The United States declares war on Japan.

11 December 1941: General John L. DeWitt is named commander of the Western Defense Command to protect the West Coast from further attack.

19 February 1942: President Roosevelt signs Executive Order 9066, giving the War Department authority to define military areas in the western states and to exclude from them anyone who might threaten the war effort.

18 March 1942: Executive Order 9102 establishes the War Relocation Authority to oversee the forced relocation of persons deemed dangerous to the security of the United States from exclusion zones. This order quickly leads to the establishments of relocation and internment camps.

21 March 1942: Public Law 503 is signed into law, providing penalties for persons who violate exclusion orders.

13 July 1942: A Writ of Habeas Corpus is filed in the name of Mitsuye Endo.

12 August 1942: The evacuation is complete; 110,000 people of Japanese ancestry are removed from the West Coast and placed in ten inland camps.

December 1944: Mitsuye Endo's case is heard before the U.S. Supreme Court.

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1869: Primeru Japunes ki ta ben vive na Stadius Unidu ta txiga Gold Hill pertu di Sakramentu, Kalifornia.

1870: Kongresu di Stadius Unidu ta da direitu di naturalizasau a Branku livri y gentis di disendensia Afrikanu ma ka ta mensiona gentis di Azia.

1911: Dipartamentu di Imigrasau ta da ordi ma so Branku y gentis di disendensia Afrikanu tinha diretu di intxi papel pa sidadania Amerikanu. Des manera tribunal tinha direitu di rijeita naturalizasau a Japunes.

1913: Lei di konpra di terenu pa strangeru ta pruibia Japunes di kunpra prupriedadi na Kalifornia.

1924: Kongresu ta pasa un lei di imigrasau ki ta pruibia tudu strangeru ki ka tinha direitu di sidadania entra nha Stadius Unidu. Es lei ta para ku imigrasau di Japunes.

7 di Dizenbru di 1941: Japau ta surprinde Stadius Unidu ku ataki na Pearl Harbor.

8 di Dizenbru di 1941: Stadius Unidu ta deklara Japau gerra.

11 di Dizenbru di 1941: General John L. DeWitt ta numiadu kumandanti di Difeza di Kumandu Osidental pa proteje Kosta Oesti di Stadius Unidu di mas ataki.

19 di Fevereru di 1942: Prizidenti Roosevelt sina Ordi Izekutivu 9066, undi el ta da Dipartamentu di Gerra, auturidadi di difini area militar na stadius di oesti di Stadius Unidu, y di sklui di kes stadiu kalker algen ki pode amiasa esforsu militar.

18 di Marsu di 1942: Ordi Izikutivu 9102 ta manda Auturidadi risponsavel pa rialujamentu na tenpu di gerra pa fiskaliza mudansa forsadu di pesoas konsideradu prigozu pa siguridadi di Stadius Unidu, di zonas di skluzau. Es ordi ta leba a kriasau di rialujamentu y kanpu di konsentrasau.

21 di Marsu di 1942: Direitu Publiku 503 ta pruklamadu komu lei undi gentis era multadu si es viola ordi di sklusau.

13 di Juliu di 1942: Direitu a julgamentu (A Writ of Habeas Corpus) e prizentadu na tribunal na nomi di Mitsuye Endo.

12 di Agostu di 1942: Evakuasau ta konpletadu; 110,000 disendents di Japunes ta tradu di Kosta Oesti di Stadius Unidu pa podu na des kanpu ki ta fika na interior di pais.

Dizenbru di 1944: Kasu di Mitsuye Endo e obidu na Supremu Tribunal di Justisa di Stadius Unidu.

1. Prior to the attack on Pearl Harbor, what rules were put in place regarding Japanese and other Asian immigrants? What does this say about attitudes of many U.S. citizens towards people from Asian countries before World War II?
2. What specific actions were required under Executive Order 9066? Why did President Roosevelt sign this order?
3. While Roosevelt's executive orders authorized the removal of Japanese Americans from the West Coast, they did not specifically mention detaining them in internment camps. What reasons may the government have had in taking this action?



A Shakuhachi player and a young girl, Jul. 1945, Topaz concentration camp, Utah.

Courtesy of the National Archives and Records Administration

"en-denshopd-i37-00866-1." Densho Encyclopedia. 30 May 2013, 21:26 PDT. 9 Apr 2015, 22:56
<<http://encyclopedia.densho.org/sources/en-denshopd-i37-00866-1/>>.



1. Antis di ataki na Pearl Harbor, ki lei sobri Japunes y otu imigranti di Azia foi kriadu? Kuze ki atitudi di txeu Amerikanu sobri gentis di Azia antis di Segunda Gerra Mundial ta fra sobri Amerikanu?
2. Ki asau spisifiku Ordi Izekutivu 9066 ta izigiba? Pamodi ki Prizidenti Roosevelt sina-l?
3. Enkuantu ki ordi izekutivu di Roosevelt ta autorizaba mudansa di Japunes-Amerikanu di Oesti di Stadius Unidu, el ka ta mensiona prendes na kanpu di konsentrasau. Ki razau bu ta atxa ma governu tinha di tuma disizau di pos na kes kanpu?

Relocation Camps: temporary homes in remote areas of the United States administered by the War Relocation Authority for the Japanese Americans who were evacuated from their homes on the West Coast

Pearl Harbor: U.S. Naval base bombed by Japanese forces on 7 December 1941, inciting the U.S. to join World War II

War Relocation Authority (WRA): government agency created by President Franklin D. Roosevelt in March 1942 to oversee the orderly evacuation of Japanese Americans from the West Coast

Internment Camp: another term for the relocation camps defined above, particularly used by those who consider the term “relocation” inaccurate as it implies that Japanese Americans moved there voluntarily

Fifth Amendment: guarantees that no American citizen may be “deprived of life, liberty, or property without due process”

Prison Camp: a camp for prisoners of war, or a low-security prison where prisoners are often put to work

Dual Citizen: a person who holds citizenship in two countries

Writ of Habeas Corpus: (from the Latin: “you may have the body”) is a court order that requires a person under arrest to be brought before a judge or into court.

American Civil Liberties Union: an organization founded to defend and preserve the individual rights and liberties guaranteed by the U.S. Constitution.

Relocation Center: a temporary processing center for Japanese Americans who were being moved to relocation camps

Concentration Camp: a prison camp in which political dissidents, members of the minority, ethnic groups, or prisoners of war are confined—usually under harsh conditions

Espionage: spying or a government’s use of spies to learn another government’s military plans

Sabotage: the willful destruction of property or obstruction of public services

Kanpu di Rilujamentu: kaza tenpurariu na lugar izuladu di Stadius Unidu pa undi Japunes- Amerikanu di stadius di Kosta Oesti foi ivakuadu pa ordi di Auturidadi Risponsavel pa Rialujamentu na tenpu di Gerra.

Pearl Harbor: Basi Militar di Stadius Unidu ki foi bombardiadu pa forsa Japunes dia 7 di Dizenbru di 1941, ki leba Stadius Unidu a entra na Sigunda Gerra Mundial.

War Relocation Authority (WRA): Agensia di guvernu kriadu pa Prizidenti Franklin D. Roosevelt na Marsu di 1942 pa fiskaliza ivakuasau di Japunes- Amerikanu di Kosta Oesti di Stadius Unidu.

Reklusoriu/Prizau/Kadia: Un otu termu uzadu pa kanpu di rilujamentu uzadu partikularmenti pa ken ki ta atxa ma “rilujamentu” ka era termu kuretu pamo el ta signifika ma Japunes-Amerikanu bai pa kes kanpu voluntariamenti.

Kintu Alterasau/ Imenda na Konstituisau: Es artigu o imenda ta garanti ma ninhun sidadau ka ta “privadu liberdadi, vida o se prupriedadi sen julgamentu”

Kanpu di Prezu o Kadia: un prizau di poku suguransa undi prezu di gerra ta mandada pa ba trabadja.

Dupla Nasiunalidadi: Un algen ki ten nasiunalidadi di dos pais.

Writ of Habeas Corpus: (dirivadu di Latin) ki ta signifika “pa bu ten bu korpu” (puder di manda na bu propi pesoa) na sintidu di liberdadi., y garantia konstitusional ki ta da tudu prezu direitu a ser ovidu pa juiz na tribunal.

Sindikatu Amerikanu di Direitu Sivil: un organizasau kriadu pa difende y mante direitu sivil di tudu sidadau garantidu pa Konstituisau di Stadius Unidu.

Sentru di Rilujamentu: Un lugar pruvisoriu o tenpurariu kriadu pa undi Japunes-Amerikanu foi lebadu.

Kanpu di Konsentrasau: Prizau/ Kadia undi pulitikus, membrus di minuria, grupu etniku, o prezu di gerra ta staba- normalmenti na mau kondisau di habitasau y vida.

Spionaji: spia, o manera di guvernu uza spiau pa tuma infurmasau sobri planu militar di otu pais.

Sabutaji: danu o distruisau di prupriedadi o obstrusau di sirvisu publiku primidatadu.

JOHN L. DEWITT, a lifelong army man, was commander of the Western Defense during World War II. In March 1942, General Dewitt ordered the evacuation of more than 110,000 Japanese Americans from the Pacific Coast and southern areas of Arizona.



Mitsuye Endo

MITSUYE ENDO was ordered to leave her home in Sacramento and sent to the Tule Lake Assembly Center in Modoc County, California and later to the Topaz Relocation Center in Utah. Because of her status as a model American citizen, Endo was recruited by the American Civil Liberties Union to be the appellant in a test case against the Government. Her case was forwarded to the U.S. Supreme Court by the Ninth Court of Appeals.

CHARLES FAHEY, Solicitor General of Washington D.C., defended the War Relocation Authority in the Endo case.

JAMES PURCELL was a young American Civil Liberties attorney who recruited Mitsuye Endo to testify, and took her to the U.S. Supreme Court.

JOHN L. DEWITT, tropa pa tudu se vida, komandanti di Difeza di Osidenti duranti Sigunda Gerra Mundial. Na Marsu di 1942, General Dewitt manda ordi pa ivakua mas di 110,000 Japunes-Amerikanu di Kosta di Osianu Pasifiku pa area sul di Arizona.

MITSUYE ENDO, mudjer ki foi mandadu abandona se kaza na Sakramentu pa bai pa un Sentru di Rilujamentu na Tule Lake, (lagu) na Munisipiu di Modoc, Kalifornia y dipos transfiridu pa Sentru di Rilujamentu di Topaz na Utah. Dividu a se statutu komu sidadau-ixemplar, Endo foi txumadu pa Sindikatu Amerikanu di Direitu Sivil pa faze kexa kontra guvernu. Se kazu foi mandadu di Nonu Seksau di Tribunal di Relasau pa Supremu Tribunal di Justisa di Stadus Unidu.

CHARLES FAHEY, Prokurador Geral di Washington D.C., ki difende Auturidadi di Rilujamentu na tenpu di Gerra na kasu kontra Endo.

JAMES PURCELL Un divogadu di Direitu Sivil Amerikanu di poku idadi ki leba Mitsuye Endo pa tistimunha na Supremu Tribunal di Justisa di Stadus Unidu.



As Justices of the U.S. Supreme Court, you will have the opportunity to ask questions of the following key players. Write down some questions that you may ask.

General Dewitt:

Solicitor General Fahey, lawyer for the War Relocation Authority:

Mitsuye Endo:

Attorney Purcell, lawyer for the American Civil Liberties Union:

Komu juiz di Supremu Tribunal di Stadius Unidu bu ten opurtunidade di faze pergunta a es siginti importanti atoris. Skrebi alguns perguntas ki bu pode ben faze.

General Dewitt:

Nutario/Divogadu General Fahey, divogadu di Agensia di Relujamentu na tenpu di Gerra:

Mitsuye Endo:

Divogadu Purcell, divogadu di Sindikatu Amerikanu di Direitu Sivil:

TheatreEspresso performs at the John Adams Courthouse in Boston (in collaboration with the Supreme Judicial Court), at the Lawrence Heritage State Park Visitors Center, and in schools and museums throughout New England. The company thanks Mass Humanities and the following foundations for their generous support.



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Since 1992, **TheatreEspresso** has toured its educational dramas to schools, museums, libraries, and courthouses throughout New England. **TheatreEspresso's** work challenges students to make critical judgments, explore social relationships, reflect on the role of law and human rights in our society, and question accepted truths about the history of America. These plays confront students with complex situations, based on actual historical events, that provoke a variety of opinions and solutions. By asking students to consider themselves participants in the drama, the company engages students in examining contradictory events and testimony in order to reach their decisions.

TheatreEspresso does not advocate any one viewpoint, but hopes to compel students to relate historical events to contemporary issues. **TheatreEspresso** is in residence at Wheelock Family Theatre.



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