

LESSON 4 SOURCE 4.12 A POST-WAR HISTORY OF JAPANESE CANADIANS

With World War II winding down, the Canadian government started planning for the future of Japanese Canadians. In the United States of America, incarcerated Japanese Americans won a December 1944 Supreme Court decision which ruled that though the wartime internment of Japanese Americans was constitutional, it ruled in a separate decision that loyal citizens must be released. Japanese Americans started returning to their homes on the coast in January 1945.

In January 1945, Japanese Canadians were forced by the Canadian government to choose between “repatriation” (exile) to Japan or “dispersal” east of the Rocky Mountains. 10,632 people signed up for deportation to Japan, however, more than half later rescinded their signatures. In the end almost 4,000 were deported to Japan. Japanese Canadians who wished to remain in Canada could not return to B.C. (and had nowhere to go in any case). On 24 January 1947 the repatriation order was cancelled.

The National Emergency Transitional Powers Act of 1 January 1946 allowed the government to keep its legal measures against Japanese Canadians in place. The government’s actions did not go unnoticed, and public and legal criticism of the government’s treatment of Japanese Canadians steadily increased. Finally, on 31 March 1949, restrictions on Japanese Canadians under the National Emergency Transitional Powers Act were finally lifted and Japanese Canadians were given full freedom of movement, as well as the right to vote.

Japanese Canadians had legally fought the government’s actions. On 28 August 1944, Eikichi Nakashima, Tadao Wakabayashi, and Jitaro Tanaka challenged the government’s sale of Japanese Canadian property. The ruling on the case took three years. In the end Nakashima et al. lost, and were ordered to pay the government’s legal costs.

In 1947, the government agreed to an investigation into Japanese Canadian property loss when it could be demonstrated that properties were not sold at “fair market value” (*Politics of Racism*, p. 147). Cabinet wanted to keep the investigation limited in scope and cost, and managed to have it limited to cases where the Custodian had not disposed of the property near market value. Justice Henry Bird was appointed to represent the government in the Royal Commission of Japanese Canadian Losses. He tried to dispense with hearings in order to streamline claims. Justice Bird concluded his investigation in April 1950. He announced that the Custodian performed his job competently. He also reported that sometimes properties were not sold at a fair market value.

Only a small portion of Japanese Canadians received compensation from the Bird Commission (a relatively small number of Japanese Canadians bothered to submit claims for compensation). No compensation was paid to Japanese Canadians for the long term economic impacts of dispossession. Bird recommended \$1.2 million compensation to individuals (*Justice in Our Time*, p. 59) — from which their legal fees had to be deducted.

In the early 1980s, the National Association of Japanese Canadians (NAJC) decided that they would seek redress from the Canadian government. NAJC President, Art Miki, called for negotiations with the Canadian government to redress wrongs committed against Japanese Canadians, an official acknowledgement of injustice, and a review of the War Measures Act. Prime Minister Pierre Trudeau said that the government’s purpose was to be “just in our time” rather than to correct past wrongs (*Justice in Our Time*, p. 73), but opposition leader Brian Mulroney supported compensating Japanese Canadians. Trudeau’s government responded by offering its regrets and a 5 million

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dollar fund for a Canadian Foundation for Racial Justice. This was rejected by the NAJC.

Brian Mulroney's Conservative Party was elected into government in 1984, however, this did not improve negotiations with the NAJC, which reached impasses with several successive Ministers of Multiculturalism. In 1985, Price-Waterhouse, a banking and investment company, agreed to launch a study on the financial losses of Japanese Canadians during the 1940s. The Price-Waterhouse study revealed economic losses of \$444,139,000 in 1986 dollars (*Justice in Our Time*, p. 93). The government offered various compensation packages of "community funds" which continually rose in value, but they refused individual redress.

In the meantime, Japanese Americans settled with the American government for \$20,000 for each incarcerated person (*Justice in Our Time*, p. 110). This increased pressure on the Canadian government to reach a settlement with the NAJC. The Canadian government appointed a new Minister of State for Multiculturalism and started more serious negotiations.

An official apology to Japanese Canadians and an acknowledgment of the government's wrongdoing was reached on 22 September 1988, it included:

- An official apology to Japanese Canadians for internment
- A pledge to avoid the same thing happening in the future
- \$21,000 to each person who was interned, deprived of property etc. because of Japanese heritage
- \$12 million to the NAJC for educational initiatives
- \$12 million from both the Japanese Canadian community and the government for a race relations foundation
- Clearing of convictions from War Measures and National Emergency Transitional Powers Act
- Restoration of citizenship for those who were had it revoked

(*Justice in Our Time*, pp. 138–139)

Miki, R. & Kobayashi, C. *Justice in Our Time: The Japanese Canadian Redress Settlement*, Vancouver: Talon Books, 1991.

Sunahara, A.G. *The Politics of Racism: The Uprooting of Japanese Canadian During the Second World War*, Toronto: James Lorimer and Co., 1981