

JAPANESE AMERICAN CITIZENS LEAGUE
49th JACL National Convention
National Council Meeting
Philadelphia, Pennsylvania
July 19, 2018

EMERGENCY RESOLUTION

This proposal was not submitted by the regular deadline because the Supreme Court of the United States ruling on the Muslim Travel Ban came after May 21, 2018, the filing deadline set by the JACL Resolutions Committee.

**A RESOLUTION OF THE NATIONAL COUNCIL OF THE JAPANESE AMERICAN
CITIZENS LEAGUE RELATING TO THE UNITED STATES TRAVEL BAN
TARGETING MUSLIMS.**

WHEREAS, the mission of the Japanese American Citizens League (“JACL”) is to secure and safeguard the civil and human rights of Asian and Pacific Islander Americans and all communities affected by injustice and bigotry;

WHEREAS, for decades JACL advocacy has been grounded in seeking redress for and avoiding a repeat of the discriminatory incarceration of Japanese Americans without due process during World War II by the federal government;

WHEREAS, in its December 1982 report entitled *Personal Justice Denied*, the Commission on Wartime Removal and Internment of Civilians found that the U.S. government systematically pursued a policy of exclusion, removal, and detention of Japanese Americans during WWII without evidence of espionage or sabotage and concluded that the "promulgation of Executive Order 9066 was not justified by military necessity" but, instead, was shaped by "race prejudice, war hysteria and a failure of political leadership";

WHEREAS, the Supreme Court of the United States (SCOTUS) shares responsibility for this legacy of injustice through its decisions in the cases of Korematsu, Hirabayashi, and Yasui, which provided the legal justification for the removal and incarceration of 120,000 Japanese Americans during WWII;

WHEREAS, President Donald J. Trump promulgated Executive Order 13768 on January 17, 2017, which was replaced by Executive Order 13780 on March 6, 2017, and issued Presidential Proclamation 9645 on September 2017, which collectively document the intent, scope, and evolution of the Travel Ban policy, also known as the Muslim Travel Ban;

WHEREAS, on June 26, 2018, in a 5-4 decision SCOTUS affirmed that the religious animus towards Islam, which members of the Executive branch of government clearly and frequently

express and which undergirds the Travel Ban, can be ignored so long as the resulting policy appears "on its face" to be legitimately derived;

WHEREAS, SCOTUS acquiesced to a claim of national security without supporting evidence, thus failing to recognize the parallel between historical policies directed against Japanese Americans and current policies directed against Muslims, thereby repeating the errors embedded in the Korematsu, Hirabayashi, and Yasui cases;

WHEREAS, four dissenting justices believe that the Travel Ban is motivated by anti-Muslim animus, violates the First Amendment principle of Religious Neutrality, and makes our nation less safe;

WHEREAS, the dissent criticized the majority opinion, noting it "redeploys the same dangerous logic underlying Korematsu and merely replace one 'gravely wrong' decision with another";

WHEREAS, the Travel Ban discriminates against people from five predominantly Muslim countries plus North Korea and Venezuela on the basis of national origin in violation of the International Covenant on Civil and Political Rights (signed by the U.S. in 1977 and ratified in 1992), and the International Convention on the Elimination of All Forms of Racial Discrimination (signed by the U.S. in 1966 and ratified in 1994);

WHEREAS, both the Southern Poverty Law Center and the Council on American-Islamic Relations (CAIR) report a marked increase in anti-Muslim bias acts and hate crimes since the Muslim Travel Ban was first proposed in 2016;

WHEREAS, this policy emboldens existing racial and religious prejudice, encourages a climate of wartime-like rhetoric, and furthers the failures of political leadership; and

WHEREAS, JACL has in the past firmly stated its opposition to discriminatory government policies and bias directed at Muslims, South Asians, and Sikhs and expressed its solidarity with them.

NOW, THEREFORE, BE IT RESOLVED that the National Council of the Japanese American Citizens League calls upon Congress to pass legislation to curtail the discriminatory policies and practices included in the Travel Ban; and

BE IT FURTHER RESOLVED that the National Board, Staff, and Chapters strengthen ties of mutual interest and support with other civil rights organizations, such as CAIR, to protect the civil and human rights of all individuals, including Muslims and those perceived to be Muslims, (e.g. Sikhs, Hindus, Arabs, Middle Easterners, and South Asians) placed in jeopardy by the Muslim Travel Ban; and

BE IT FURTHER RESOLVED that all JACL chapters reflect on the history of discrimination, exclusion, and imprisonment of Japanese Americans during WWII in light of the current prejudice and hate directed against Muslim Americans and offer assistance and support when and where possible.

Sponsored by: Seattle Chapter
(JACL entity)

Dated: July 16, 2018
Month/Day/Year

Approved by: Sarah Baker, Acting President
Name and Title (Please Print)

Signed: _____ /s/

Contact: Stanley N Shikuma
Name

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Please check one:

Fiscal Impact Statement attached

No Fiscal Impact (meaning that the resolution does not call for any action that will be carried out by JACL staff, or incur any costs to JACL)

Note: The proposal must include signatures of three (3) delegates from (3) different districts not including that of the proponent:

Name: Donald Hayashi
(Please Print)

District: Midwest

Chapter: Dayton

Signed: _____ /s/

Name: Kenneth Oye
(Please Print)

District: EDC

Chapter: New England

Signed: /s/

Name: Marcia Hashimoto
(Please Print)

District: NCWNP

Chapter: Watsonville-Santa Cruz

Signed: /s/