

The Star Chamber

In 1975, the Japanese American Citizens League (JACL) launched a campaign for reparations for those Japanese who had been forced to evacuate the West Coast during World War II. A heavily financed lobbying effort came to fruition five years later when the House of Representatives passed a bill creating the Commission on Wartime Relocation and Internment of Civilians. The commission's primary mission was to review "the facts and circumstances surrounding Executive Order Numbered 9066, issued February 19, 1942, and the impact of such Executive Order on American citizens and permanent resident aliens." The commission was also directed to "recommend appropriate remedies."

That the commission was to recommend "remedies" indicates that government guilt had already been assumed: The commission needed only to gather evidence to support that conclusion and determine the nature of reparations. Nearly all nine commissioners—three appointed by President Carter and six by Congress—had long histories of leftist activism. Joan Z. Bernstein, who would chair the commission, had already declared the evacuation "a blot on the history of the U.S." Former Supreme Court justice and National Lawyers Guild member Arthur J. Goldberg had called it "a horrendous thing." Hugh B. Mitchell, a representative from Washington state, termed it "a great wrong." Former Massachusetts congressman Robert F. Drinan, S.J., had not only made similar pronouncements but had asked, referring to the evacuees, "How much are we going to give them?"

Also appointed were Arthur S. Flemming, a member of the U.S. Civil Rights Commission until fired by President Reagan; former senator Edward W. Brooke of Massachusetts, the first of only two blacks to serve in the Senate since Reconstruction; William M. Marutani, a Nisei evacuee who was the JACL's legal counsel; Ishmael V. Gromoff, a Russian Orthodox priest evacuated from the Aleutian Islands when the Japanese invaded; and Daniel E. Lungren, a freshman representative who had conservative credentials but also a significant number of Japa-

nese-Americans in his district.

The commission was given three-dozen staff members; more than a third were Japanese-Americans. Many of the others had been active in the campaign to secure reparations. The staff included no World War II military historians, intelligence officers, or government officials. Witnesses were not put under oath, and those opposed to reparations were interrupted or drowned out by jeering spectators.

John J. McCloy, the assistant secretary of war who monitored the evacuation and relocation in 1942, said that "it became clear from the outset of my testimony that the Commission was not at all disposed to conduct an objective investigation." The officer in charge of the evacuation, Karl R. Bendsten, simply stopped in the middle of his testimony, saying "I knew it would be fruitless. Every commissioner had made up his mind before he was appointed." Retired Brig. Gen. A.W. Beeman said, "I tried to give testimony before the Commission in Seattle. However, I was drummed out by a lecture on 'racism' delivered by Dr. Arthur S. Flemming."

Even more disturbing was the Orwellian omission of former senator S.I. Hayakawa's testimony from the commission's final report. Contending with boos and jeers, Hayakawa testified against reparations, strongly and eloquently, but none of it can be found in the final report, a 500-page polemic entitled *Personal Justice Denied*. The commission apparently was also ignorant of the most critical information concerning the decision to evacuate the Japanese: In the original edition of *Personal Justice Denied*, there is no mention of MAGIC, the decrypts of intercepted Japanese transmissions, which reveal widespread espionage by resident Japanese aliens and Japanese-Americans along the West Coast.

Soon after *Personal Justice Denied* was published, David D. Lowman, a career intelligence officer with the National Security Agency, wrote an article in the *New York Times* questioning the absence of MAGIC. When reporters asked Bernstein why MAGIC was ignored, she replied, evidently chagrined, that the commissioners had never heard of it. Attempting



to avoid further embarrassment, the commission quickly released, with no expert input, a five-page error-filled addendum claiming, incredibly, that a "review of the 'Magic' cables does not alter the Commission's position." Dan Lungren, a cautious conservative who had done little until this point to thwart the commission's agenda, added his own footnote:

For us as a Commission to deny that the decoded Japanese cables compiled in the MAGIC volumes did not influence the decision made by America's leaders, tends to undercut the credibility of our historical pursuit.

David F. Trask, chief historian at the U.S. Army Center of Military History, said that the report was

in the form of a legal brief rather than a history. . . . All is calculated to support the conclusion that the government denied personal justice to those interned during World War II. Facts and arguments that might tend to support a contrary conclusion are either excluded or rejected.

Nonetheless, Congress, not without dissent, accepted the conclusion of the commission—that EO 9066 was based not on military considerations but on "race prejudice, war hysteria, and a failure of political leadership" and later passed the Civil Liberties Act of 1988, giving each of those relocated or interned \$20,000—totaling more than a billion dollars. Congress also allocated millions for teaching the history of the evacuation according to *Personal Justice Denied*. School textbooks now include excerpts from the report and omit any reference to MAGIC. c

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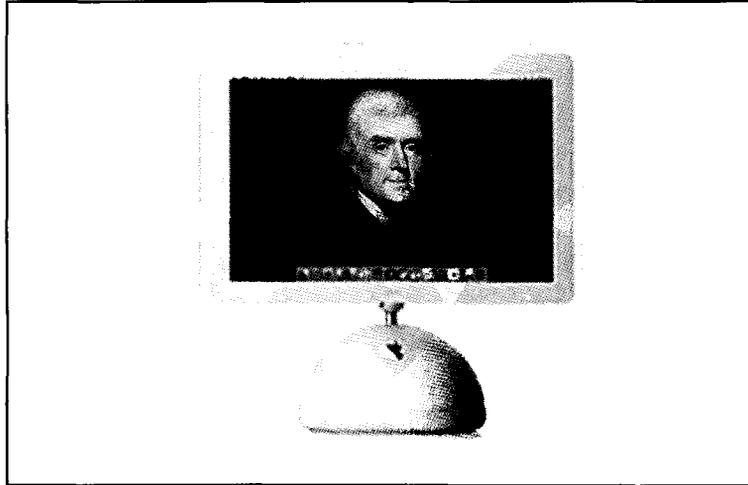
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Independent Media Tribes

Bypassing the Old Gatekeepers

by Jesse Walker



Melanie Anderson and H. Ward Street

Last year, when the *Washington Post*'s Michael Kelly was killed in Iraq, an anonymous contributor to the leftist web network Indymedia announced the sad news with the tasteless headline "WP Nazi columnist bites the Iraqi dust." Word spread quickly, especially after Glenn Reynolds, the hawkish proprietor of the widely read *InstaPundit.com*, declared that "the Indymedia folks" were calling the late reporter a Nazi. Many angry comments soon appeared below the offending post, but Reynolds did not attribute them to "the Indymedia folks," despite the fact that they, too, were published on *Indymedia.com* and with just as much sanction from the site's keepers.

The Independent Media Center, as Indymedia is officially known, is one of the most successful publishing projects online, a sprawling network of radical amateur journalists that is open to virtually anyone with a keyboard. There are at least 135 local Independent Media Centers in over 40 countries; most are in the United States and Europe, but they have also appeared everywhere from Beirut to Bolivia, Nigeria to Jakarta, Chiapas to Thunder Bay. (As I write, the lead story on the IMC's main site announces that its African affiliates just met in Senegal.) Its admirers often ignore its faults, while its enemies love to tar the whole network with the most galling activities on its fringes; whether you are an admirer or an enemy usually depends on whether you share the network's leftist politics.

It is useful, however, to strip away the ideological baggage and set aside what you might think of the IMC's content. Indymedia offers a radically different model for producing and distributing journalism, with a very different hierarchy of stan-

dards from what you find at CBS or the *New York Times*. It has changed the face of the alternative press; and, just as important, it is rapidly being superseded by newer, more promising models. Its successes and failures should interest anyone who wants a more pluralistic media landscape.

It is widely believed that the IMC was formed just before the World Trade Organization protests in Seattle in 1999. In fact, its roots go back to 1996, when a contingent of Seattle's lefty journalists attended a San Francisco gathering called the Media and Democracy Conference. The delegation dubbed itself the Independent Media Coalition, giving the other attendees the impression that they were a bit more organized than they were, and they continued to hold meetings under the IMC moniker after they returned to the Puget Sound. Sometimes the C stood for *Coalition*; sometimes it stood for *Cabal*. By the time the WTO came to town, it stood for *Center*. Members of the older IMC had opened a storefront in downtown Seattle, and, from there, a core of activists covered the demonstrations from the inside, broadcasting audio, video, and written coverage of the melee over a website and a pirate radio station.

Already, the two most commendable aspects of Indymedia were in place. One is live, ground-level coverage of protests, giving the world a less mediated look at what is happening in the streets. (This is especially useful when the "protests" graduate to "upheaval" status, as in the rebellion last fall in Bolivia.) The other is a space where uncredentialed volunteers can make media of their own. In the wake of Seattle, new IMC's sprang up in other cities. The best of them were essentially journalism co-ops—places where people who could not afford a camcorder could share the group's equipment.

At first, those new IMC's offered another benefit. As a more or less open publisher, Indymedia generated a fair amount of trash (such as the declaration that Michael Kelly was a "Nazi").

Jesse Walker is the managing editor of Reason and author of Rebels on the Air: An Alternative History of Radio in America. His own blogging can be read at jessewalker.blogspot.com and at reason.com/hitandrun.