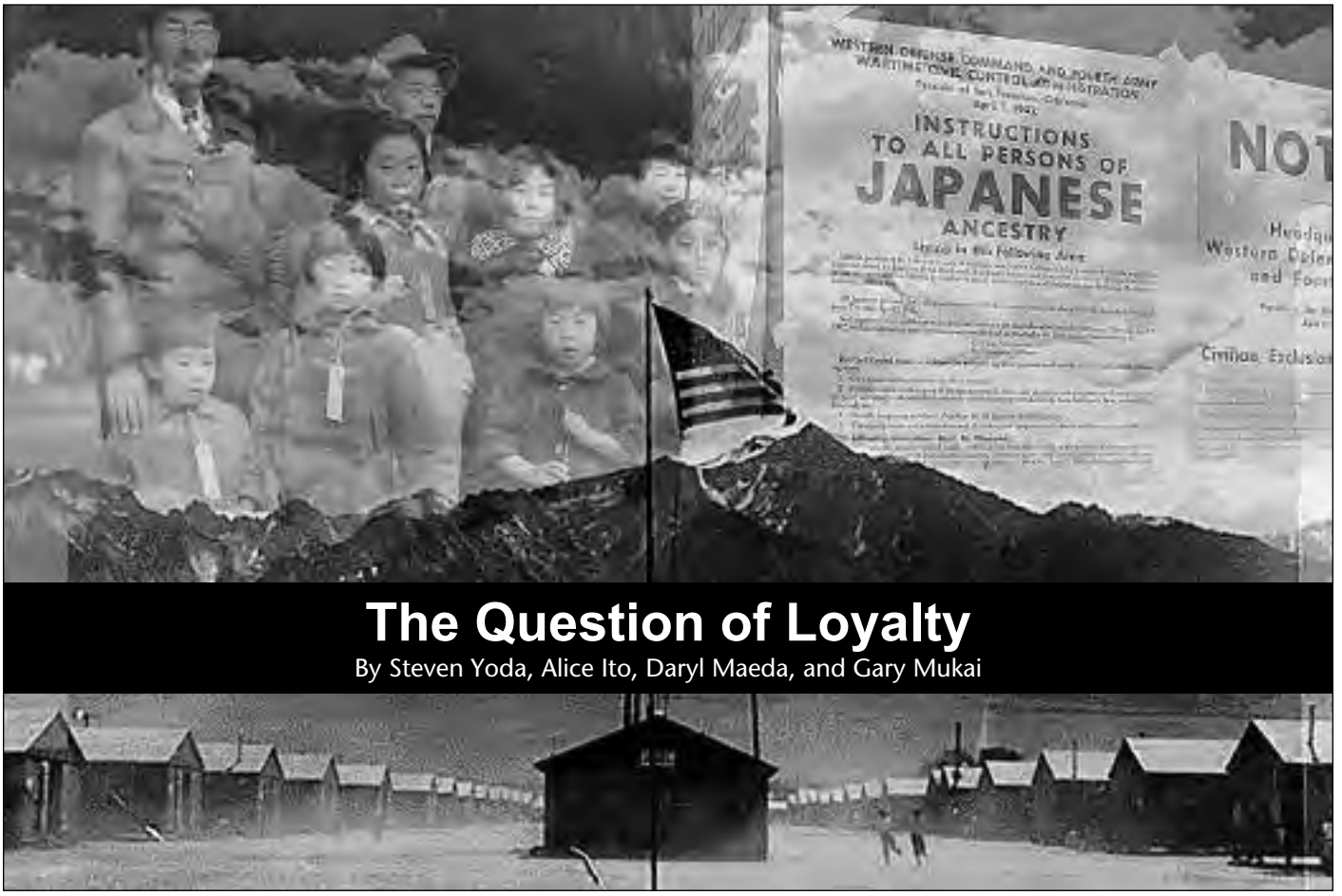
Note: portions of this article were excerpted from *Civil Rights and Japanese-American Internment*, © 2000, SPICE, a high school curriculum unit available through SPICE, www.spice.stanford.edu. A Web-based version of this curriculum unit is available through the Densho: The Japanese-American Legacy Project, www.densho.org.



The Question of Loyalty

By Steven Yoda, Alice Ito, Daryl Maeda, and Gary Mukai

Photo montage — Main image: *Dust storm at this War Relocation Authority Center where evacuees of Japanese ancestry are spending the duration of the war*, July 3, 1942. Photo: Department of the Interior. War Relocation Authority. Source: National Archives. Upper left image: *Members of the Mochida family awaiting evacuation bus.* May 8, 1942. Photo by Dorothea Lange, WRA. National Archives and Records Administration, Records of the War Relocation Authority. Upper right: *San Francisco, California. Exclusion Order posted at First and Front Streets directing removal of persons of Japanese ancestry from the first San Francisco section to be affected by the evacuation*, April 11, 1942. Photo: Department of the Interior. War Relocation Authority. Source: National Archives.

During World War II, the loyalty of all people of Japanese ancestry in the United States was questioned, in contrast to people of German and Italian ancestry, who were treated as individuals. The United States was at war with Germany and Italy as well as Japan, yet German Americans and Italian Americans were not all suspected of disloyalty to the United States and incarcerated as a group, without trial, as were those of Japanese ancestry on the West coast.

In January 1943, federal officials announced that Japanese-Americans, including those held in concentration camps, would be allowed to volunteer for a racially segregated U.S. Army unit. In February 1943, the U.S. War Department and the War Relocation Authority (WRA) decided to test the loyalty of all people of Japanese ancestry who were incarcerated in the WRA camps. They required all those 17 years of age and older to answer a questionnaire that became known as the "loyalty questionnaire." Their answers would be used to decide whether they were loyal or disloyal to the United States. Two questions became the focus of concern and confusion for many people.

Question #27 asked: Are you willing to serve in the armed forces of the United States on combat duty, wherever ordered?

Question #28 asked: Will you swear unqualified allegiance to the United States of America and faithfully defend the United States from any and all attack by foreign or domestic forces, and forswear any form of allegiance to the Japanese Emperor or any other foreign government, power, or organization?

Government officials decided that a "yes" response to question #28 indicated loyalty, and a "no" response indicated disloyalty to the United States. Question #28 is sometimes referred to as the "loyalty oath."[1]

Response to the questionnaire was mixed. Many found the questions confusing. During World War II, women, the elderly,

ESSAYS

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and resident aliens were generally not expected to serve in the armed forces. However, they were required to answer Question #27. Women and the elderly *issei* (literally, "first generation"; Japanese immigrants) wondered what would happen if they answered "no" to #27. Question #28 was particularly difficult for the immigrant issei to answer. Since U.S. law did not allow any Japanese immigrants to become naturalized U.S. citizens, answering "yes" to question #28 would mean they were in danger of losing their Japanese citizenship, leaving them without legal status in any country. Therefore, some issei answered "no" to #28 to avoid becoming stateless people.

Many were afraid that family members answering "no-no" to questions #27 and #28 would be sent to a separate camp from those answering "yes-yes," and that "no-no" respondents might be deported to Japan even if they did not want to go. Therefore, some *nisei* (literally, "second generation"; children of issei) who wanted to answer "yes-yes," instead answered "no-no" to avoid being separated from their parents who had responded "no-no."

Some nisei perceived question #28 as a trick question. A "yes" response could be interpreted so as to suggest that the respondent had prior loyalty to Japan. In other words, to "forswear" allegiance to the Japanese Emperor suggests that the respondent had loyalty to the Emperor. At the same time, a "no" response could be interpreted as explicit disloyalty to the United States.

Draft-age nisei were required to answer the questionnaire in front of U.S. Army recruiters. Question #27 specified "combat duty." Consequently, many believed that responding "yes-yes" to questions #27 and #28 amounted to volunteering immediately for military service.

Many people were worried about the consequences of answering "yes" or "no" to questions #27 and #28, and requested clarifications. Government officials inconsistently addressed these requests, and some refused to explain the questions or the possible consequences. Some camp authorities threatened people with fines of $10,000 and prison terms of twenty years for refusing to answer the questions.[2] Conditional or "qualified" answers to the questionnaire were not allowed. In most cases, written explanations of answers to questions #27 and #28 were disregarded, and qualified answers to those questions were considered the same as "no."

In this confusing and difficult situation, parents, children, siblings, and friends sometimes disagreed regarding the questionnaire. Bitter conflicts developed, including arguments about loyalty to one's parents and family, loyalty to one's country, and to principles of the Constitution. On the basis of their questionnaire answers, individuals were labeled "loyal" or "disloyal" to the United States. Those who answered "yes" to question #28 were generally considered loyal. Despite the serious problems with the wording and meaning of the questions, government officials and others, including many leaders of the Japanese-American Citizens League (JACL), generally considered those who answered "no-no" to questions #27 and #28 to be disloyal.

No-No Responses

Most people who answered "no-no" to questions #27 and #28 were moved to the Tule Lake concentration camp in California. It was designated a "segregation center" for separating so-called "disloyal" from "loyal" individuals, and security was increased there. Some of the families labeled "disloyal" were deported to Japan. "No-no" respondents were sometimes derogatorily called "no-nos" or "no-no boys." "Loyal" families at Tule Lake camp were encouraged to transfer to other WRA camps.

The conclusion that all who answered "no-no" were disloyal to the United States was incorrect. A number of issei would have become U.S. citizens before World War II if they had been allowed to naturalize. As described above, many people answered "no-no" in order to keep their families together. There were also some Americans who answered "no-no" out of anger, as a protest against the violation of their civil rights by their own government. One nisei explained his "no" response to a government official as follows:

> *Well, if you want to know, I said "no" and I'm going to stick to "no." If they want to segregate me they can do it. If they want to take my citizenship away, they can do it. If this country doesn't want me they can throw me out. What do they know about loyalty? I'm as loyal as anyone in this country. Maybe I'm as loyal as President Roosevelt. What business did they have asking me a question like that? . . . That's not the American way, taking everything away from people. . . . Where are the Germans? Where are the Italians? Do they ask them questions about loyalty? . . . Now they're trying to push us to the east. It's always "further inland, further inland." I say, "To hell with it!" Either they let me go to the coast and prove my loyalty there or they can do what they want with me. If they don't want me in this country, they can throw me out . . .* [3]

The speaker says that if he is not allowed to live with the same rights as other Americans, and if he's not wanted in the

United States, then "they can throw me [him] out." He says the treatment he received is "not the American way." He clearly states his loyalty, expressing anger that his loyalty is not accepted on the same basis as that of other Americans. Given his statements and the situation in which they were made, it is unclear whether or not this American truly wanted to leave his country. Some government officials recognized the difficulties in assessing a "no" response on the "loyalty" question. The director of the WRA camp at Manzanar, California stated:

> *On the other hand, it is important to determine whether the "no" answer on the loyalty question actually means a renouncing of citizenship or whether it is a protest indirectly arising from the pressures of the father who is a non-citizen or directly representing the outcry of a man who has, in his opinion, been ruthlessly and wrongfully deprived during the last year of his rights and position as a citizen. When all the motives have been reviewed, it must be concluded that there is no such thing as a line of strict demarcation . . . It is my considered conclusion that the answer "no" has many shades of meaning and is prompted by many motives, some of which are attributable to our failure, both past and present, and some of which may yet be modified and reversed without damage to the principles of American citizenship.*[4]

Some people questioned the ability of the government to determine loyalty with a questionnaire. The government's attempt to do so had many consequences, including conflicts among Japanese-Americans, some of which continued long after World War II. Those who answered "no-no" to questions #27 and #28 are still considered by some to be "disloyal."

Renunciation of Citizenship

After the Tule Lake concentration camp was designated a "segregation center," the majority of people there were those who, for a variety of reasons, answered "no-no" to questions #27 and #28 on the "loyalty" questionnaire. However, these people did not all share the same opinions. There were also a number of people at the Tule Lake camp who had answered "yes-yes," "no-yes," or had qualified their answers on the questionnaire.

Antagonism among individuals of differing beliefs (and between Tule Lake camp authorities and those incarcerated) led to great turmoil. A minority, including some issei and nisei, were vocally pro-Japan and wanted to be deported to Japan. Some used violence to intimidate others, pressuring people to join them in renouncing the United States. The Tule Lake camp authorities built a stockade—a jail within a concentration camp—and isolated people there indefinitely and without appeal, for actions ranging from violence to verbal protests of unfair treatment in camp.

Before World War II, Americans were not allowed to renounce their citizenship during wartime, when people might be pressured to act in ways they otherwise would not. However, in 1944 Congress changed the law to enable nisei held in concentration camps to renounce their U.S. citizenship and be deported to Japan.[5] Some nisei felt there was no future in the United States for people of Japanese ancestry. Over 6,000 people, most from the Tule Lake camp, applied to renounce their U.S. citizenship. Of those, 5,589 were approved. During the renunciation hearings, many regretted their actions; 5,409 requested that their citizenship be restored. Wayne Collins, an attorney from San Francisco, represented these individuals. Collins was not allowed to represent them all as a group.

ESSAYS

On February 1, 1943, President Roosevelt announced the formation of a nisei army regiment known as the 442nd Regimental Combat Team. Nisei volunteers from the mainland and Hawaii and subsequent draftees comprised this unit.

Enlisted men of the 442nd Regimental Headquarters Company.
Photo source: katonk.com Web site: http://www.katonk.com/442nd/442/listings/442enlist.html

Private First Class Hachiro Mukai in Europe, 442nd Regimental Combat Team.
(courtesy Jiro and Michi Mukai)

He worked for decades on the individual cases. Of the 5,409 people who requested their citizenship be restored, 4,978 were granted their requests.

Military Service

Of the over 110,000 Japanese-Americans in concentration camps, 23,606 were draft-age nisei men. After January 1943, when the U.S. Army allowed them to volunteer for military service, 1,256 of these men did so; 800 of these volunteers passed the physical examination. Nearly 10,000 Japanese-Americans from Hawaii volunteered. Of these, 2,686 were accepted for induction. These figures were the inverse of the War Department's expectations. Initially, it had set a quota of 3,000 nisei volunteers from the U.S. mainland and 1,500 nisei volunteers from Hawaii. Some argue that these figures reflect the differences in morale between a group of men whose freedom was taken from them (Japanese-Americans in mainland concentration camps) and a group of free men (those in Hawaii).

The 100th Infantry Battalion and 442nd Regimental Combat Team

In the immediate aftermath of Pearl Harbor, the United States barred the nisei from military service, changing the nisei draft status from 1-A (draft eligible) to 4-C (enemy alien ineligible to register). Extremely negative media also promoted distrust and hatred of all people of Japanese ancestry. Despite this, the War Department realized that the formation of an all-nisei unit would be good for international public relations; an all-nisei unit could counter Japan's anti-U.S. propaganda, which emphasized the discrimination that Japanese-Americans faced because of their race. Such a unit could also help maintain the image of the United States as the world's leader of democracy and freedom. On February 1, 1943, President Roosevelt announced the formation of a nisei army regiment known as the 442nd Regimental Combat Team. Nisei volunteers from the mainland and Hawaii and subsequent draftees comprised this unit.

Despite the many accolades accorded to the 442nd, technically, it was not the first nisei battalion. That honor goes to the nisei soldiers who comprised the 100th Infantry Battalion. The 298th and 299th infantry regiments of the Hawaii National Guard, most of whose men were nisei, formed the basis of the 100th Infantry Battalion. The men of the 100th faced discrimination from other American soldiers. At training camp, a fight erupted between men of the 100th and soldiers from Texas, who did not like seeing men with Asian faces wearing American uniforms. Some of these Texans physically and verbally harassed the men of the 100th. The Texans underestimated the strengths of the nisei. Judo was a popular pastime among Japanese-Americans, and many in the 100th had black belts. After a brawl, 38 soldiers required hospitalization at the camp infirmary. "There were Texans with broken arms and legs, but only one Japanese-American required hospitalization."[6] On the battlefield, the 100th Infantry Battalion fought bravely. The 100th's earliest actions were in Italy and contributed to the Allied capture of Rome. The casualty rate among the 100th was high. Originally around 1,300 men, by June 1944, the 100th had suffered about 900 casualties.

In June 1944, the 100th Infantry Battalion linked with the larger 442nd Regimental Combat Team. The combined unit saw its fiercest battles in France. The 442nd liberated the towns of Bruyeres, Belmont, and Biffontaine from Nazi occupation. One of the 442nd's bloodiest episodes came in late October in a battle popularly known as the Rescue of the Lost Battalion. Two hundred seventy-five members of an infantry regiment from Texas had been surrounded by Nazi troops in eastern France. The outlook was grim. The 442nd was ordered to rescue the trapped battalion. In addition to the Nazis, the 442nd also combated mountain and forest terrain. Amazing acts of individual heroism and sheer tenacity carried the day. The first patrol of nisei soldiers reached the Texans on the fourth day of battle—the Lost Battalion was saved. One Texan soldier remembers the rescue as follows:

> *When the 442nd broke through to us we were very tired, hungry and cold and, in all probability, would not have been able to hold more than 36 hours longer . . . The first man I met of the 442nd was T/Sgt. Takeo Senzaki of Los Angeles. We all had tears in our eyes and were glad to see them and our emotions were so pent up that we could not speak for ten or fifteen minutes. We were so happy to see the men of the 442nd, to be rescued by the men of the 442nd, that it would be difficult to describe our feelings at that time. When fighting men get together, especially from [our battalion], they will always speak with pride and the deepest feeling of appreciation toward those men of the 442nd.*[7]

The 442nd's victory was bittersweet, for it came at great cost of human lives. To save the 211 remaining men of the 1st Battalion of the 141st Infantry Regiment (the "Lost Battalion"), the 442nd suffered 800 casualties. Some suggest that the very high ratio of injuries and lives-sacrificed to lives-saved reflects the inherent inequalities of the racially segregated U.S. Army.

Color Guard, 442nd Regimental Combat Team
Musser, Signal Corps, National Archives.
Image source: http://library.thinkquest.org/CR0210341/442nd/splash442nd.htm

SAVE

WAR DEPARTMENT
THE ADJUTANT GENERAL'S OFFICE

Mrs. Kiyo Mukai
Poston
Yuma, Arizona

Dear Mrs. Mukai:

I have the honor to inform you that by direction of the President, the Combat Infantryman Badge authorized heretofore, has been posthumously awarded to your son, the late Private First Class Hachiro Mukai, for satisfactory performance of duty in ground combat against the enemy.

The records indicate that eligibility for this award was established by War Department Circular 181, 25 May 1945.

Sincerely yours,

Edward F. Witsell
Major General
Acting The Adjutant General

1 incl
Combat Infantryman Badge

Letter sent to Hachiro Mukai's mother, Poston Concentration Camp, Arizona.
(courtesy Jiro and Michi Mukai)

Hachiro Mukai's grave in France.
(courtesy Jiro and Michi Mukai)

Roy Uyehata receiving a congratulatory handshake for his work in the Military Intelligence Service.
(courtesy Roy Uyehata family)

This nisei regiment became the most decorated unit for its size and length of service in U.S. military history. The government eventually highlighted the heroism of the nisei soldiers, and this played a vital role in improving the image of Japanese-Americans in the eyes of the general public.

Military Intelligence Service (MIS)

In the Pacific War, Japanese-Americans assisted in the war effort through their language skills. The Military Intelligence Service (MIS) was a branch of the U.S. Army that played a critical role in the Allied victory over Japan. Established on November 1, 1941, the Military Intelligence Service Language School (MISLS) trained its students in the Japanese language through an intensive program. Training ran from 8:00 a.m. to 4:30 p.m. and continued into the evening from 7:00 p.m. to 9:00 p.m. Eighty-five percent of MISLS graduates were nisei. Six thousand nisei of the MIS were sent to Asia and served the U.S. military in many capacities. They translated captured Japanese documents (such as maps, battle plans, and orders), interrogated prisoners of war, and even persuaded a Japanese unit to surrender by impersonating its Japanese commanding officer. After the war, many nisei continued to serve as military interpreters and translators during the U.S. military occupation of Japan.

Reinstatement of the Draft

In January 1944, the U.S. government announced that Americans of Japanese ancestry would again be eligible for the military draft. Nisei began receiving notices instructing them to report to their draft boards and for a pre-induction physical examination required of all draftees. Draftees included men incarcerated in the concentration camps.

Loyalty, Civil Rights, and Responsibilities

During World War II, Americans of Japanese ancestry were suspected of being disloyal to the United States and incarcerated as a group, without trial, and without regard for their individual civil rights. They were not considered "innocent until proven guilty," as were other Americans. Many Japanese-Americans therefore felt they needed to somehow "prove their innocence," in other words, prove their loyalty. One way of trying to prove loyalty was to volunteer for military service, or to join the army when drafted, thus showing they were willing to die for their country.

Some Japanese-Americans questioned why they should be expected to prove their innocence, or their loyalty, unlike other Americans. They wanted to know why they did not receive equal treatment as citizens, a basic principle of American democracy. Some U.S. citizens held in the concentration camps decided they would not serve in the U.S. Army until they were treated as Americans.

Draft Resistance: Matters of Conscience and Civic Responsibility

Now known as the draft resisters of conscience, some men answered "yes-yes," or gave qualified answers, to questions #27 and #28 of the "loyalty" questionnaire, but refused to join the military as long as their rights as citizens were being violated. They were willing to die for their country, but not until they and their families were freed from the concentration camps and their rights were restored. Over 300 individuals in the WRA camps made this decision. They did not report for induction or for physical examinations. Most were arrested and charged with evading the draft. The majority were convicted and sentenced to an average of three years in a federal penitentiary.

Many draft resisters carried out their civil disobedience individually. However, in the Heart Mountain camp in Wyoming, hundreds of men and women supported an organized resistance movement. There, Kiyoshi Robert Okamoto called himself the "Fair Play Committee of One." In discussions of the "loyalty" questionnaire at public meetings in the camp, he objected to the exclusion and incarceration of Japanese-Americans, claiming they were examples of the deprivation of civil rights without due process of law. He encouraged people to demand their constitutional rights. Others joined him, and when the draft was reinstated for nisei, the Fair Play Committee (FPC) members spoke at meetings and distributed statements, including the following; excerpted from Fair Play Committee Bulletin #3 (March 1, 1944):

> *. . . We, the members of the FPC are not afraid to go to war—we are not afraid to risk our lives for our country. We would gladly sacrifice our lives to protect and uphold the principles and ideals of our country as set forth in the Constitution and the Bill of Rights, for on its inviolability depends the freedom, liberty, justice, and protection of all people including Japanese-Americans and all other minority groups. But have we been given such freedom, such liberty, such justice, such protection? NO!! Without any hearings, without due process of law guaranteed by the Constitution and the Bill of Rights, without any charges filed against us, without any evidence of wrongdoing on our part, one hundred and ten thousand innocent people were kicked out of their homes, literally uprooted from where they have lived for the greater part of their life, and herded like dangerous criminals into concentration camps with barbed wire fences and military police guarding it,*

AND THEN, WITHOUT RECTIFICATION OF THE INJUSTICES COMMITTED AGAINST US NOR WITHOUT RESTORATION OF OUR RIGHTS AS GUARANTEED BY THE CONSTITUTION, WE ARE ORDERED TO JOIN THE ARMY THROUGH DISCRIMINATORY PROCEDURES INTO A SEGREGATED COMBAT UNIT! Is that the American way? NO! The FPC believes that unless such actions are opposed NOW, and steps taken to remedy such injustices and discriminations IMMEDIATELY, the future of all minorities and the future of this democratic nation are in danger. Thus, the members of the FPC unanimously decided at their last open meeting that until we are restored all our rights, all discriminatory features of the Selective Service abolished, and measures are taken to remedy the past injustices thru Judicial pronouncement or Congressional act, we feel that the present program of drafting us from this concentration camp is unjust, unconstitutional, and against all principles of civilized usage. Therefore, WE MEMBERS OF THE FAIR PLAY COMMITTEE HEREBY REFUSE TO GO TO THE PHYSICAL EXAMINATION OR TO THE INDUCTION IF OR WHEN WE ARE CALLED IN ORDER TO CONTEST THE ISSUE.[8]

As this FPC statement shows, draft resisters of conscience did not act out of cowardice or fear of going to war, or out of disloyalty to the United States. Rather, they acted out of a determination to stand up for their rights as U.S. citizens. They believed in democratic principles. They decided to refuse to comply with draft orders as a way to contest the constitutionality of being drafted while incarcerated and denied their rights.

Consequences of Resistance

By the end of March 1944, 54 of the 315 men in Heart Mountain camp, ordered to report for physical examinations, were listed as delinquent by the draft board.[9] The government punished the resisters. Three FPC leaders were removed to the Tule Lake segregation center, and other members were arrested. The resisters were also opposed by some Japanese-American leaders who accused them of being disloyal. The *Heart Mountain Sentinel*, a camp newspaper published with WRA approval, urged compliance with government orders and denounced the FPC. The *Sentinel* labeled FPC members as "a new type of provocateur" and "lacking both moral and physical courage."[10] The Japanese-American Citizens League (JACL) also denounced the resisters and the FPC, as in the following excerpt from the JACL newspaper, *Pacific Citizen*, April 8, 1944:

It is reported that 41 Japanese-Americans . . . have refused to report at the Heart Mountain relocation center for induction into the armed forces of the United States . . . Its effect may be that of negating the victory of loyal Japanese-Americans in winning the reinstitution of selective service, and may retard the eventual full restoration to Japanese-Americans of the privileges of freedom which are the birthright of every American. By their action these young men, and those who prompted their action, have injured the cause of loyal Japanese-Americans everywhere.

The only journalist who supported the resisters and the FPC was James Omura of the *Rocky Shimpo* newspaper based in Denver. Before Executive Order 9066 was implemented, Omura (then in San Francisco) was one of the few Japanese-Americans who publicly objected to the policy of removing and incarcerating people of Japanese ancestry. When the draft was reinstated for nisei, some Japanese-American leaders considered it a "victory," believing it meant being accepted as equal Americans and having their rights restored (see excerpt from *Pacific Citizen*, above). Omura disagreed, as he wrote in an editorial:

The re-institution of selective service among the Nisei is not wholly what we had been led to believe. It is not a complete vindication or a normal acceptance of the Nisei minority in the armed services of the nation. It is only a partial acceptance. No other group of individuals are required to fill out special questionnaires. No other group of individuals are required to sign declarations of loyalty on a piece of paper. . . . Not until restrictions are wholly lifted can the Nisei feel that he has been accepted as an American citizen. He is not asking for special treatment; he merely asks that he be included on the normal basis. When a Nisei goes to the army, he is ostensibly prepared to give his life to the nation. The nation owes him his every right and consideration.[11]

WRA and other government authorities made examples of the FPC leaders and draft resisters. In June 1944, 63 resisters from Heart Mountain camp were tried and found guilty of draft evasion. They were sentenced to three years in a federal penitentiary. Another 22 also resisted from Heart Mountain, for a total of 85. Seven leaders of the Fair Play Committee and journalist James Omura were tried for conspiracy to counsel, aid and abet violation of the Selective Service Act. The jury acquitted Omura on the basis of freedom of the press, but convicted the others. While the FPC leaders served their sentences, they appealed their convictions, which were overturned by a federal court of appeals in December 1945. The court ruled that the jury improperly ignored civil disobedience as a defense.

Though many resisters raised the question of the constitutionality of being drafted from concentration camps, only one federal judge who heard nisei resisters' cases seriously considered it. From the Tule Lake segregation center, 26 resisters were charged with draft evasion, but not convicted. Judge Louis E. Goodman of the Northern District of California dismissed the charges. He stated that prosecuting them for refusing the draft was "shocking to the conscience," and a violation of due process.[12] Following the trial, those resisters were returned to incarceration at Tule Lake segregation center.

For the majority of resisters, the consequences of their civil disobedience included an average of three years imprisonment in a federal penitentiary, and the stigma of being convicted felons. In December 1947, President Truman pardoned all wartime draft resisters, including nisei from the concentration camps. The pardon removed the criminal convictions from the resisters' records. However, other Japanese-Americans, including some U.S. Army veterans and leaders of the JACL, continued to label resisters as disloyal, unpatriotic, cowardly "draft dodgers." Some Japanese-Americans blamed the resisters for increasing the public's negative attitudes toward people of Japanese ancestry. These consequences affected many resisters for the rest of their lives. Despite an official JACL apology to the resisters in 2000, many Japanese-American veterans' groups and others continue to harbor negative feelings toward the resisters. Legacies of the World War II ostracism of resisters contribute to ongoing division within Japanese-American communities.

Democratic Principles

In 1942, almost all Japanese-Americans on the West Coast had followed the government orders restricting their liberties, eventually forcing them to leave their homes and live under armed guard in concentration camps, although they hadn't received trials, or been convicted of crimes. Their loyalty was questioned, and they were incarcerated solely on the basis of their ancestry. Some people, including Americans of European and other ancestry, thought these orders violated democratic principles and civil rights guaranteed by the Constitution. Very few individuals or groups publicly questioned the government's actions. Those who did risked being labeled "disloyal." Some Japanese-Americans decided to question the orders. Three of these citizens were tried and convicted of violating orders; Fred Korematsu, Gordon Hirabayashi, and Minoru Yasui all had their cases heard by the U.S. Supreme Court. Mitsuye Endo followed the orders and was living in a concentration camp when she became part of a legal case testing the government's power to keep her incarcerated without charging her with a crime, holding a trial, and bringing evidence against her.

These court cases were important because they focused on democratic principles and raised questions about the government's actions. In considering these cases, the Supreme Court justices discussed the legality of suspending the constitutional rights guaranteed to all U.S. citizens. The U.S. Supreme Court justices received statements by General DeWitt (West Coast defense commander) and other military officials claiming that there was a definite "military necessity" for the "evacuation," internment, and other orders, because Japanese-Americans were possibly committing acts of sabotage. The federal government's lawyers and other officials knew these claims were false. However, this fraud was covered up. Most of the evidence of the fraud was altered and destroyed, and not rediscovered until the 1980s. ■

NOTES:

1. *The Evacuated People: A Qualitative Description* (U.S. Department of the Interior), p. 162. See also, Dorothy S. Thomas and Richard Nishimoto, *The Spoilage: Japanese-American Evacuation and Resettlement During World War II* (Berkeley: University of California Press, 1946), p. 85.
2. Michi Weglyn, *Years of Infamy: The Untold Story of America's Concentration Camps* (New York: Morrow Quill Paperbacks, 1976), p. 144.
3. Michi Weglyn, *Years of Infamy*, p. 138–9.
4. The Lim Report, Sec. IID; http://www.javoice.com/limreport/introduction.htm.
5. Public Law 405. See Michi Weglyn, *Years of Infamy,* p. 229.
6. Masayo Duus, *Unlikely Liberators: The Men of the 100th and 442nd* (Honolulu: University of Hawaii Press, 1987), p. 37.
7. Quoted in Lyn Crost, *Honor by Fire: Japanese-Americans at War in Europe and the Pacific* (Novato: Presidio, 1994), p. 198.
8. Fair Play Committee Bulletin #3, March 1, 1944. See also, http://www.pbs.org/conscience/resistance/we_hereby_refuse/04_fpc_3.html.
9. Douglas W. Nelson, *Heart Mountain: The History of an American Concentration Camp* (Madison: Department of History, University of Wisconsin, 1975), p. 132.
10. *Heart Mountain Sentinel*, March 18, 1944.
11. Jimmie Omura, "Not Complete," *Rocky Shimpo*, February 11, 1944.
12. Masaaki Kuwabara, et al. v. United States, 56 F.S. 928 (District Court Northern District [D. C. N. D.], Calif. N. D.), July 22, 1944. See Frank F. Chuman, *The Bamboo People: The Law and Japanese-Americans* (Del Mar, California: Publisher's Inc. 1976), p. 254.

STEVEN YODA co-authored the SPICE curriculum unit, *Civil Rights and Japanese-American Internment*, and is currently pursuing a law degree at U.C. Berkeley.

ALICE ITO conducts oral history interviews, research, and educational outreach for Densho, a nonprofit organization.

DARYL MAEDA is Assistant Professor of History at Oberlin College. His research and teaching interests center on Asian American history.

GARY MUKAI is the director of the Stanford Program on International and Cross-Cultural Education (SPICE), Stanford University.