

## READING: THE QUESTION OF LOYALTY

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 imprisoned 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 incarceration 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?



[Click here to read the text of the controversial questions from the so-called "loyalty questionnaire."](#)

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

Response to the questionnaire was mixed. Many found the questions confusing. During World War II, women, the elderly, 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 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 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 the following video clip, Chizuko N. remembers the difficulty of deciding how to answer the so-called "loyalty questionnaire."



Frank K. remembers the tension in his family over deciding how to answer the questions on the so-called "loyalty questionnaire."

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 WRA 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

previously, many people answered "no-no" in order to keep their families together. There were also some 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?...[3]

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....

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."



In this video segment, Akio H. talks about his own decision-making process when deciding how to answer the so-called "loyalty questionnaire."

## RENUNCIATION OF CITIZENSHIP

After the Tule Lake incarceration 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 prison camp--and isolated people there indefinitely and without appeal, for actions ranging from violence to verbal protests of unfair treatment in camp.



Read this interview transcript in which Minoru K. discusses his decision to renounce his own U.S. citizenship as an act of defiance.

Before World War II, U.S. citizens 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 incarceration 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. More than 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. 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 more than 110,000 Japanese Americans in incarceration camps, 23,606 were draft-age nisei men between the ages of 18 and 37. After January 1943, when the U.S. Army allowed them to volunteer for military service, 1,256 of these men did so. Of these volunteers, 800 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 away from them (Japanese Americans in mainland concentration camps) and a group of free men (those in Hawaii).



In this video clip, Rudy T. discusses his own decision to volunteer for military service even it meant fighting for the same country that had locked him up.

### *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.



Francis F. recalls arriving in the South for military training only to find segregation and racial divisions in the U.S. military and public places. [Click here to watch the video clip.](#)

Despite the many accolades accorded to the 442nd, technically, it was not the first all-nisei battalion. That honor goes to the nisei soldiers who made up 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 U.S. 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 U.S. military uniforms. Some of these Texans physically and verbally harassed the men of the 100th. The Texans, however, 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 battles were in Italy and contributed to the Allied capture of Rome. The casualty rate among the 100th was high. Originally around 1,300-men large, 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.

There were grumblings that nisei lives had been sacrificed in order to save those of white Americans. Senator Daniel Ken Inouye, a participant in the rescue, has said, "I am absolutely certain that all of us were well aware that we were being used for the rescue because we were expendable." [8]

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.



Rudy T. talks with an Army General after the war about frequent military decisions to send Japanese American troops into adverse fighting situations.



Click [here](#) to see a larger image of this photo of Rudy T. escorting a group of captured German soldiers.



Japanese American soldiers of the 522nd Field Artillery are firing at the enemy in the battle for Leghorn, Italy, in this photo.

*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.



This photo shows Japanese Americans training for Military Intelligence Service by studying the Japanese language.



In this video clip, Francis F. talks about Japanese Americans born in the United States and educated in Japan who served in the U.S. Military Intelligence Service using their Japanese language skills during World War II.

### *Reinstatement of the Draft*

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

## **LOYALTY, CIVIL RIGHTS AND RESPONSIBILITIES**

During World War II, Americans of Japanese ancestry were suspected of being disloyal to the United States and were 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 like other Americans.



In this video clip, Rick S. shares his thoughts about those who decided to resist the draft and his own decision to serve in the military when he was drafted.

*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 die for their country, but not until they and their families were freed from the incarceration camps and their rights were restored. More than 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.



Listen to Gene A. talk about his decision to resist the draft order and his mother's fear of never seeing her son again.

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: Excerpt 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 laws 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 THRU 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.[9]

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 who had been ordered to report for physical examinations were listed as delinquent by the draft board.[10] 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." [11] 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 reinstatement 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 rights and considerations.[12]

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 incarceration camps, only one federal judge who heard the 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.[13] Following the trial, those resisters were returned to incarceration at Tule Lake.

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 incarceration 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 contributes to ongoing division within Japanese American communities.



Gene A., a Japanese American who chose to resist his draft orders, talks about being ostracized from his community and feeling sad that people didn't understand his viewpoint. [Click here to watch the video clip.](#)

## **CITIZENS, THE SUPREME COURT AND LOYALTY TO DEMOCRATIC PRINCIPLES**

In 1942, almost all Japanese Americans on the West Coast had followed the government orders restricting their liberties, and eventually forcing them to leave their homes and live under armed guard in incarceration 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." As summarized in the reading "Prelude to Incarceration," 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, which upheld all three convictions in 1944. Mitsuye Endo followed the orders and was living in an incarceration camp when she became part of a legal case testing the government's power to keep her imprisoned 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.



[Click here to read excerpts from Supreme Court Justices' opinions on Gordon Hirabayashi's case.](#)



[Click here to read excerpts from Supreme Court Justices' opinions on Fred Korematsu's case.](#)



[Click here to read excerpts from Supreme Court Justices' opinions on Mitsuye Endo's case.](#)

The U.S. Supreme Court Justices received statements by General DeWitt and other military officials claiming that there was a definite "military necessity" for the "evacuation," incarceration 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. This fraud, however, was covered up. Most of the evidence of the fraud was altered and destroyed, and not rediscovered until the 1980s.

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: The Untold Story of America's Concentration Camps* (New York: Morrow Quill Paperbacks, 1976) pp.138-139.
4. The Lim Report, Sec. IID; <http://www.javoice.com/limreport/introduction.htm>

5. Public Law 405. See Michi Weglyn, *Years of Infamy: The Untold Story of America's Concentration Camps* (New York: Morrow Quill Paperbacks, 1976) 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. Brian Niiya, "Lost Battalion," *Japanese American History: An A-to-Z Reference from 1868 to the Present* (New York: Facts on File, 1993) p. 217.
9. Fair Play Committee Bulletin #3, March 1, 1944 <See also, [http://www.pbs.org/conscience/resistance/we\\_hereby\\_refuse/04\\_fpc\\_3.html](http://www.pbs.org/conscience/resistance/we_hereby_refuse/04_fpc_3.html)>
10. Douglas W. Nelson, *Heart Mountain: The History of an American Concentration Camp* (Madison: Department of History, University of Wisconsin, 1975) p. 132.
11. *Heart Mountain Sentinel*, March 18, 1944.
12. Jimmie Omura, "Not Complete," *Rocky Shimpō*, February 11, 1944.
13. *Masaaki Kuwabara et al. v. United States*, 56 F.S. 928 (D. C. N. D. Calif. N. D.), July 22, 1944. See Frank F. Chuman, *The Bamboo People: The Law and Japanese-Americans*. (Del Mar, CA: Publisher's Inc. 1976) p. 254.

## Questions

- What may have been the motives behind a Japanese American's decision to join or not to join the military?
- What may account for the fact that there were more Japanese American military volunteers from Hawaii than from the mainland?
- What were the dangers of a segregated military unit? What may have been the benefits (if any)?
- Why do you think thousands of nisei at Tule Lake applied for a renunciation of their citizenship?
- Why do you think some in the Japanese American community condemned the efforts of the Fair Play Committee?