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## Chapter Five

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### The World War II Internment of Japanese Americans and the Citizenship Renunciation Cases

War forced us from California  
No ripples this day  
on desert lake  
—NEIJI OZAWA<sup>1</sup>

THE INTERNMENT of Japanese Americans during World War II stands as the most extreme case of the construction and consequences of alien citizenship in American history. The U.S. government never formally stripped Japanese Americans of their citizenship. But in effect it nullified their citizenship, exclusively on grounds of racial difference. Presuming all Japanese in America to be racially inclined to disloyalty, the United States removed 120,000 Japanese Americans—two-thirds of them citizens—from their homes on the Pacific Coast and interned them in ten concentration camps in the interior.<sup>2</sup> Military orders, posted on telephone poles throughout the western halves of California, Oregon, and Washington in early March 1942, called for the evacuation of “all persons of Japanese ancestry, both aliens and non-alien”—“non-alien” the rhetorical effacement of citizenship of some 80,000 Americans. Today we call this racial profiling. In 1942 it was said, “A Jap is a Jap.”<sup>3</sup>

The government’s wartime policy toward Japanese Americans diverged sharply from its views and treatment of persons of German and Italian descent, which was based on individual selection and investigation. This was apparent when the United States entered the war. Immediately after Japan’s attack on Pearl Harbor and the United States’ declaration of war, the Justice Department arrested 1,393 German and 264 Italian nationals, along with 2,192 Japanese, under authority of the Alien Enemy Act and presidential executive order. These persons had already been under surveillance by the FBI as potentially dangerous and were picked up within days and weeks of Pearl Harbor. The arrested aliens were sent to the regional detention facilities of the Immigration and Naturalization Service, where individual loyalty hearings were conducted. The Justice Department released most of the Germans and Italians.<sup>4</sup>

The 2,192 Japanese aliens arrested by the Justice Department in the days

after Pearl Harbor comprised virtually the entire political, social, cultural, and business leadership of Japanese American communities—Buddhist priests, martial arts instructors, Japanese language teachers, members of theater companies, chamber-of-commerce leaders, employees of Japanese companies, and editors of the Japanese language press, as well as leaders of the Japanese Association of America and patriotic organizations. They either remained in detention or were “paroled” to the internment camps with the general Japanese American population.<sup>5</sup>

Earl Warren, then the attorney general of California, explained the difference in policy toward Germans and Italians on the one hand and towards Japanese on the other: “We believe that when we are dealing with the Caucasian race we have methods that will test the loyalty of them. . . . But when we deal with the Japanese we are in an entirely different field and cannot form any opinion that we believe to be sound.”<sup>6</sup>

The legal basis for the mass evacuation of Japanese Americans lay in President Roosevelt’s Executive Order 9066, issued on February 19, 1942, which authorized the secretary of war to define “military areas” from which persons without permission to enter or remain could be excluded as a “military necessity.” General John L. DeWitt, commanding general of the Western Defense Command, had urged evacuation of all Japanese Americans from the West Coast on grounds of military danger, citing shore-to-ship signaling, arms and contraband found during FBI raids, and the location of Japanese farms near military installations. DeWitt argued that the “the Japanese race is an enemy race” and that even amongst the Americanized citizens, “the racial strains are undiluted.”<sup>7</sup>

We now know that investigations by the Federal Communications Commission (FCC) and FBI found the charge of signaling to be entirely without substantiation. The FBI also discounted the arms and contraband in question as nonthreatening (for example, goods owned by a sporting goods store). The Office of Naval Intelligence (ONI) had, in fact, conducted an investigation of Japanese Americans in the fall of 1941 and concluded categorically that both Issei and Nisei were loyal to America. The ONI report was circulated at the highest levels of government and was seen by President Roosevelt in November 1941.<sup>8</sup> In effect, as Michi Weglyn observed, Executive Order 9066 “enabled the military, in absence of martial law, to circumvent the constitutional safeguards of over 70,000 American citizens and to treat the Nisei like aliens.”<sup>9</sup>

The United States Supreme Court sanctioned this abridgment of civil rights in 1943 and 1944 in *Hirabayashi* and *Korematsu*, which upheld the curfew, exclusion, and evacuation of the Japanese American population on grounds of military necessity. Notably, *Korematsu* articulated the principle that classification and discrimination based on race is subject to “strict scrutiny” by the Court, but the Court ruled that such discrimination was justifiable when the

military declared it to be necessary. It further ruled that the military's reasoning for such declaration was not subject to the Court's review.<sup>10</sup>

Citizenship nullification was not limited to the evacuation. The military also in effect canceled the citizenship of Japanese Americans serving in the U.S. armed forces, who numbered some five thousand in Hawai'i and on the mainland at the time of Pearl Harbor. After Pearl Harbor, Nisei soldiers on the mainland were dismissed with "honorable discharge" at the "convenience of the government." Local draft boards all but ceased to induct Japanese Americans. The Selective Service reclassified Nisei with I-A status (fit for duty) to IV-C (enemy alien). In June 1942 the Selective Service stated it would no longer induct Japanese Americans save for exceptional cases; in September it issued official regulations prohibiting their induction.<sup>11</sup>

### **Internment, Culture, and Loyalty**

If internment rested on a foundation of simple racism—"a Jap is a Jap"—that racial logic was complicated by the administration of the camps by the War Relocation Authority (WRA). WRA officials in fact did not believe that all Japanese were racially inclined to disloyalty. Rather, they practiced a kind of benevolent assimilation, which used cultural assimilation to both measure and produce Japanese Americans' loyalty.

The conflation of culture and loyalty was not a new phenomenon in the United States. During World War I, American war nationalism pressured German Americans to forswear native language and religious cultural practices in order to demonstrate their loyalty to the United States. (Indeed, Earl Warren's assumptions about the loyalty of "Caucasians" elided the history of war-induced assimilation and the constructedness of Euro-Americans' ethno-racial identities.)<sup>12</sup> During World War II, Japanese Americans came under similar pressures to assimilate, but under radically different conditions of citizenship-nullification and internment.

The War Relocation Authority was a civilian agency under the Department of Interior. Its director, Milton Eisenhower, and his successor, Dillon Myer, were both New Deal liberals with backgrounds in the Department of Agriculture.<sup>13</sup> Unlike the unapologetic racists and nativists that wanted to rid the country of all Japanese Americans, these liberals considered themselves anti-racist. Moreover, the New Dealers in charge of the WRA believed they had an opportunity to turn an unfortunate incidence of war into a positive social good. Ever optimistic about the potential of mass social engineering, they envisioned the camps as "planned communities" and "Americanizing projects" that would speed the assimilation of Japanese Americans through democratic self-government, schooling, work, and other rehabilitative activities. Comparing their own experiment with the Nazis' concentration camps,



WRA officials believed their “community building” project was “an ‘ironic testimony’ to the value of American democracy.”<sup>14</sup> The greater irony, however, is that WRA’s assimilationism led to the most disastrous and incendiary aspects of the internment experience—the loyalty questionnaire, segregation, and renunciation of citizenship.

Assimilationist thinking was inherently flawed by racist presumptions. The WRA viewed Japanese Americans as racial children in need of democratic tutelage, infantilizing them in much the same way that the government constructed Filipino colonial subjects and Native American Indians as dependent wards not yet fit for democratic citizenship.<sup>15</sup> Seen in this light, the nullification of Japanese Americans’ citizenship was a constitutive element of the project.

As in the Philippines and on Indian reservations, the assimilationists in the WRA considered traditional cultures not conducive to liberal citizenship. They frowned upon the use of native language, kinship structures of leadership, and other manifestations of alleged cultural backwardness. In the Japanese case the pressure for cultural assimilation was freighted with the idea of loyalty. Liberals thus considered certain “types” of Japanese Americans particularly prone to disloyalty based on a cultural reading of their social status (for example, the Kibei, U.S.-born Japanese who had been sent to Japan for schooling, and “unassimilated” or “Japanesey” Nisei who practiced Buddhism).<sup>16</sup>

The conflation of culture and loyalty was not absolute and sometimes was contradictory. For example, while WRA policy embraced freedom of religion, officials suspected those who practiced Shintoism, which worshipped the Emperor.<sup>17</sup> WRA administrators also took a laissez-faire attitude toward recreational activities, allowing for both Japanese and American leisure practices. But in the areas deemed most important for citizenship construction—work, schooling, and self-government—WRA policy was pointedly assimilationist.<sup>18</sup>

Consistent with benevolent assimilation, the WRA seemed to believe that Japanese Americans would cooperate with, if not welcome, their reformation, unaware of its essentially coercive character. Other liberals, if not enthusiastic about internment, nevertheless believed that Japanese Americans proved their Americanness in the camps. Ansel Adams, for example, believed

5.1 (opposite page) Ansel Adams’s *Born Free and Equal: Photographs of the Loyal Japanese Americans at Manzanar Relocation Center* was published in 1944 with the approval of the War Relocation Authority. Adams’s photographs restored the humanity and dignity of Japanese Americans and praised their adjustment to internment. His photograph of high school students was captioned, “Manzanar is only a detour on the road to American citizenship.” (Courtesy of Library of Congress, Prints & Photographs Division, Ansel Adams, photographer.)

that “out of the jostling, dusty confusion of the first bleak days in raw barracks they [Japanese Americans] have modulated to a democratic internal society and a praiseworthy personal adjustment.” The photographer also read Manzanar’s landscape as a site for democracy, believing that the “huge vistas and the stern realities of sun and wind and space symbolize the immensity and opportunity of America.”<sup>19</sup>

Japanese Americans, of course, endured Manzanar and the other camps as harsh and desolate, and never for a moment misunderstood that they were deprived of their liberty. In fact the WRA’s assimilationist programs were sites of conflict within the camps. These conflicts suggest not only the limits of racial paternalism and the improbability of a democratic concentration camp. They also reveal the existence of Japanese nationalism and divided loyalties among the internees. By nationalism, I mean both political support for Japan and cultural nationalism, which emphasized cultural affinities with the native country. Many more Japanese Americans were cultural nationalists than were self-conscious political supporters of Japanese militarism. But cultural nationalism was also complicated because it sometimes suggested political aspects, such as reverence for the Emperor. At another level, support for Japan was sometimes an expression of race pride or defiance of American racism, not necessarily political conviction.

During the internment most Japanese Americans did not subscribe to the WRA’s assimilation program but took from it selectively those aspects that they wanted, for example, schooling and work.<sup>20</sup> They ignored or resisted programs that they considered not in their interest, such as surveys and family counseling. Most notably, many rejected WRA’s strategy of “self-government,” which comprised “community councils” of elected block representatives. Internees regarded WRA’s policies that only U.S. citizens could be elected to the councils and that all meetings had to be held in English to be affronts to the older generation. In some camps, internees boycotted elections. Those serving on the community council tended to be associated with the JAAC or were otherwise pro-assimilationist. Internees criticized them for being pro-Administration and generally ostracized real and suspected informers and collaborators as *inu* (dog). The Issei in turn asserted their authority by creating alternate bodies of leadership and self-governance.<sup>21</sup>

In a broad sense, everyday life in the camps involved both Japanese and American culture and politics. Leisure and recreational activities were bicultural, including such activities as flower arranging, sock hops, go tournaments, cutting trees at Christmastime, and baseball games (played daily at Tule Lake, even at the height of its troubles). Internees observed Lincoln’s, Washington’s, and the Emperor’s birthdays. They paid respects to fallen American soldiers on Memorial Day and prayed for fallen Japanese soldiers on the Emperor’s birthday. These events undoubtedly drew different groups of people, but some internees acknowledged or attended both. Internees also gave farewell parties in the blocks whenever an individual or family departed

camp, whether to join the army, repatriate to Japan, resettle to Chicago, or relocate to Tule Lake (where “disloyals” were segregated). These patterns suggest not only that American and Japanese nationalisms coexisted in the camps but also that many internees were more invested in preserving ethnic solidarity than they were in politics per se. At another level, politically-minded internees on both sides criticized “fence-sitters.” A pro-Japan nationalist said, “They are sitting on the fence waiting to see who is going to win the war. If the Americans win they are going to be Americans. If the Japanese win, they are going to be Japanese. . . . Such persons are no good for *any* country.”<sup>22</sup>

Of course, internees’ ability to self-organize was limited. For one, administrators did not have to negotiate with internees and ultimately had the backing of the army to enforce its authority. Second, internees had little power to enforce decisions made democratically amongst themselves. For example, in the early months of internment at Rohwer camp in Arkansas, Japanese Americans debated whether they should accept employment at a nearby factory that manufactured camouflage material for the army. The camp voted that they would work to produce food for the camp but not to assist the army. Nevertheless many internees took the jobs anyway.<sup>23</sup>

This example also illustrates a tension between politics and practicality. War talk and political debate in the camp were ubiquitous, especially among Issei men, for whom daily kibitzing was a major activity.<sup>24</sup> Yet even as internees obsessed over news and rumors from the outside, the import of political developments lay more in the practical realm of what they meant for their future. Many Japanese Americans believed that after the war they would be deported en masse or that even if they were not forcibly repatriated, it would be impossible to remain in the United States, where they were hated. These scenarios could be imagined no matter which side won the war. At the same time, many wished to stay in America—they regarded the United States as their adopted country and as the native homeland of their children. They had built a life in America and did not want to sacrifice their property. While some internees left the camps during the war to repatriate to Japan or to resettle in areas outside the West, most Japanese Americans wanted to remain in camp until the war ended. They preferred to await the peace and to keep their options open.<sup>25</sup> The pragmatic strategy required a certain balancing of dual nationalisms and dual allegiances. But that effort was thrown into crisis in early months of 1943, when the WRA required all adult internees to fill out a lengthy registration form to ascertain their loyalty to the United States.

### The Loyalty Questionnaire

This famous intervention was officially called “Application for Leave Clearance.” Its genesis lay in two initiatives that the War Department and the

WRA designed in order to promote Japanese Americans' citizenship and assimilation, the volunteer combat unit and resettlement, respectively.

It will be recalled that after Pearl Harbor the military ceased to induct Japanese Americans into service. Since the beginning of the war the JACL had vigorously lobbied the government for the Nisei's right to enlist, in order to prove their loyalty. As JACL leader Mike Masaoka explained, "We had to have a demonstration in blood." A few in the War Department began to argue for a reversal in the military's policy against Nisei military service, notably Assistant Secretary of War John McCloy and Director of the Office of War Information Elmer Davis. They believed the formation of a Nisei combat unit would rehabilitate Japanese Americans' citizenship and public image.<sup>26</sup> Davis explained:

This matter is of great interest to OWI. Japanese propaganda to the Philip-pines, Burma, and elsewhere insists that this is a racial war. We can combat this effectively with counter propaganda only if our deeds permit us to tell the truth. Moreover, as citizens ourselves who believe deeply in the things for which we fight, we cannot help but be disturbed by the insistent public misunderstanding of the Nisei.<sup>27</sup>

In January 1943, after several months of debate, the War Department decided to proceed with the Nisei combat unit. The department stressed the importance of the volunteer nature of the project. According to McCloy's assistant, Colonel William Scobey, "[T]he advantage of the voluntary program to the Japanese Americans cannot be overemphasized. They must realize that a voluntary combat team constitutes a symbol of their loyalty which can be displayed to the American public and to those who oppose the Japanese Americans. Involuntary induction by means of the draft greatly detracts from that symbol." To make the symbol effective the War Department also deemed it necessary to create a segregated unit comprising only Nisei. To determine the loyalty of prospective volunteers and to effectuate their release from camp, it developed a questionnaire for male internees within the age range for military service and various investigative procedures.<sup>28</sup>

The WRA proposed that the loyalty questionnaire be extended to all internees over the age of seventeen. The WRA, committed to its assimilationist goal of returning Japanese Americans to the mainstream of American life, desired a mechanism to separate the truly disloyal from the loyal majority, in order to relocate the latter out of the camps. It was disappointed in the slow progress of its program of voluntary-leave clearance, by which internees determined to be loyal could move to an area outside the West Coast, provided they had personal sponsorship and an offer of employment or education. By the end of 1942 only 866 internees had relocated, mostly Nisei college students and young adults with ambition and without familial responsibilities. In the fall and winter of 1942 the WRA debated segregating the camp popu-

lation by class—"Kibei, aliens, old bachelors, parolees, repatriates . . . although few people could agree on the same set of categories." The WRA decided that the loyalty questionnaire would "give us a basis for forming judgments as to an individual person's loyalty that may be reasonably sound."<sup>29</sup>

Registration, as it was called, was compulsory. The questionnaire was lengthy, comprising some eighty questions about religious affiliation, educational and occupational background, and the like. Many questions concerned cultural knowledge and practices, evincing the WRA's use of culture as an index of loyalty: "Will you conform to the customs and dress of your new home?" "Do you think you are 'losing face' by cooperating with the U.S. government?" and "Do you believe in the divine origin of the Japanese race?" There were also more direct questions about loyalty: "What would you do if you found a shortwave [radio] set . . . in your neighbor's apartment?" and "Give five references of people who can vouch for your conduct in the center other than members of your family. Include at least two representatives of the administration."

But the most incendiary questions were question 27, asked of all males of military age, "Are you willing to serve in the armed forces of the United States on combat duty, wherever ordered?" and question 28, asked of all adult internees, "Will you swear unqualified allegiance to the United States of America and faithfully defend the United States from any or all attack by foreign or domestic forces, and forswear any form of allegiance or obedience to the Japanese emperor, or any other foreign government, power or organization?"<sup>30</sup>

The registration program provoked widespread confusion, resentment, and opposition. The title of the questionnaire, "Application for Leave Clearance," suggested to many internees that they would be forcibly relocated to unfamiliar and hostile areas, without means and without their sons, whom many believed would now be drafted. Answering "yes" to question 28 would have made the Issei, who were barred from American citizenship, stateless persons. Moreover, expressing disloyalty to their country of birth connoted a lack of personal integrity. An Issei explained, "No Issei would disobey the laws of the United States. . . . In that sense they can be called loyal to the United States. On the other hand, none of them are disloyal to Japan."<sup>31</sup>

In every center there were mass meetings, some of them "extremely turbulent," where internees debated and argued over what to do. Family relations also strained. Some Issei parents pressured their children to answer "no" in order to keep the family together or to keep their sons out of the military. Some Nisei, having "seen their parents uprooted and humiliated . . . resolved to spare their elders any further worry and sadness, suppressed their own desires and voted 'no.'" Other Nisei militantly refused to register, contrary to their parents' wishes. Yamato Ichihashi noted that "the young people are very

serious this time, and do not yield very easily. . . . Their parents are worried over the twenty year sentences” that they risked for refusing to register.<sup>32</sup>

Among the Nisei, including those who answered “yes,” there was widespread opposition to the volunteer combat team. Ichihashi, who had thought that the Nisei would have done anything to get out of camp, wrote, “They began to grumble about the government’s maltreatment accorded them since their evacuation, denying their rights of citizenship. . . . A number of Issei sympathized with the discontented Nisei.” In fact, when his own son Woodrow considered volunteering, Ichihashi “vehemently opposed” the idea, arguing that if he were drafted he must not break the law, but he should not volunteer because the government had interned him.<sup>33</sup>

WRA administrators responded to the internees’ resistance variously with persuasion and coercion. At Heart Mountain, Gila, and Tule Lake, administrators threatened recalcitrant internees with the Espionage Act, which made it a felony to obstruct the recruitment or enlistment of service to the United States. Of the 1,700 draft-eligible males at Heart Mountain, only 42 volunteered for service and over 400 answered “no.” At Tule Lake, whole blocks vowed not to register and signed up, instead, for repatriation and expatriation. Despite mass arrests, as many as one-third of the residents at Tule Lake refused to register and the program was never actually completed.<sup>34</sup>

In all, 87 percent of the eligible internees gave an unqualified “yes” answer to the loyalty questions. (Issei “yes” answers improved when WRA reworded question 28: “Will you swear to abide by the laws of the United States and to take no action which would in any way interfere with the war effort of the United States?”) Those who answered “yes” represented a range of motivation and belief. While many undoubtedly welcomed the opportunity to state their loyalty to the United States, others trod the path of least resistance and hoped that a “yes” answer would shield them from further accusations of disloyalty.<sup>35</sup>

Thirteen percent either refused to register or answered “no” to one or both questions. Fully 20 percent of Nisei males answered “no.” Refusal to register or “no” answers were highest at Tule Lake (42 percent) and at Manzanar and Jerome (26 percent each). The War Department had hoped for 5,000 volunteers for the Nisei combat team, but fewer than 1,200 signed up. By contrast, over 3,000 internees applied for repatriation or expatriation during the registration period. (In Hawai‘i, where there was no internment, 10,000 Nisei volunteered for combat service). The low rate of resettlement after the registration disappointed the WRA. During 1943 and 1944 about 15 percent of the total population left the camps each year on “indefinite leave” to resettle in the Midwest and East.<sup>36</sup>

Following registration, the WRA designated Tule Lake as a “segregation center” for disloyal Japanese Americans. The agency believed the disloyals were the source of “non-cooperation” and responsible for disturbances in

the camps and now sought to remove and isolate the troublemakers. In the fall of 1943 the WRA transferred all disloyals to Tule Lake and sent loyal Tuleans to other camps, although the shift was not perfect because loyal family members accompanied disloyals to Tule Lake and some 1,100 loyal Tuleans simply refused to relocate. Segregation at Tule Lake applied to all those who refused to register or answered "no" to the loyalty questions (even if one later changed one's answer to "yes"), all those who had requested repatriation or expatriation (including those who answered "yes"), and any others with "adverse information" in their file. The registration segregants and prospective repatriates amounted to some 12,000 people. Another 4,000 people at Tule Lake comprised family members of segregants. Although the WRA used specific criteria for segregation, it described disloyals and loyals in vague terms that reproduced the view that one's attitude towards assimilation was the key index of loyalty: the disloyals were "people who have indicated their desire to follow the Japanese way of life," and loyals were those "who wish to be American."<sup>37</sup>

The transfer of all disloyals to Tule Lake did not eliminate tension and conflict in the other camps. The loyal ranged from the superpatriotic JACL to those who continued to hold divided allegiances. The *inu* problem continued. Conflict actually *increased* at some centers when administrators responded to resistance to resettlement with "retrenchment" policies aimed at "making life [in camp] less easy-going." At Minidoka, relations between residents and administrators deteriorated after strikes by camp maintenance-workers, mail carriers, and construction workers and the director cancelled a popular experimental high school program.<sup>38</sup>

When in January 1944 the government resumed its policy of drafting Japanese Americans into the military, new conflicts arose. Some 2,800 Nisei were drafted out of the camps into a segregated infantry unit. While many went willingly, others believed the draft was yet another humiliation. Some Nisei tried to fail their physical examinations in order to avoid induction. Three hundred fifteen Nisei refused induction outright; 263 were convicted in federal courts and sent to prison.<sup>39</sup>

At Tule Lake, segregation produced new problems and conflicts. Officially, segregation was not considered punitive. But Tule Lake differed from other camps in that no one was allowed the privilege of leave clearance and there was no "self-government." American schooling was not compulsory; residents were allowed to establish Japanese-language schools, on grounds that they were returning to Japan. That logic also led the agency to allow "expressions of loyalty to Japan."<sup>40</sup>

In the fall of 1943 a series of events at Tule Lake led to mass demonstrations, violence, and martial law. In October, 800 farmworkers went on strike after a truck accident resulted in a worker's death. Internees held a mass public funeral in defiance of the camp director, Raymond Best, who had

prohibited it. Mass demonstrations protesting camp working and living conditions and Best's decision to bring in "loyal" farmworkers from other camps as strikebreakers led to violent confrontations with WRA personnel. On November 4 the army entered the camp with guns and tanks, arrested 18 men, and put 9 in the stockade. It declared martial law and occupied Tule Lake for two months, during which time it continued to pick up suspected leaders, often in the middle of the night. Ultimately some 350 were detained in the stockade, some for as long as eight months, though no charges were ever brought against any of them.<sup>41</sup>

The stockade became a "symbol of oppression to the entire colony." While residents continued to protest with a partial strike and passive resistance, administrators' efforts to create an alternate body of leadership comprising "responsible men" failed. At the same time, factionalism among the internees worsened, as a group of ardent pro-Japan nationalists demanded immediate repatriation to Japan and "resegregation" to separate themselves from those who they said were not "true disloyals" but were really loyal, *inu*, or "fence sitters."<sup>42</sup>

In fact, most of the internees who had applied for repatriation and expatriation did not want to go to Japan immediately but wanted to see the outcome of the war. Others had requested repatriation in order to avoid resettlement or military service. A Tule Lake resident distinguished between two groups of disloyals: those who "would not die for the United States yet who would not surrender their American citizenship or do any acts against the United States. Whereas another group would do anything in their power to aid Japan and would not do any more than compelled to do for the United States."<sup>43</sup>

The militant nationalists formed the *Sokuji Kikoku Hoshi Dan* (Organization to Return Immediately to the Homeland to Serve) and two subsidiaries, *Hokoku Seinen Dan* (for young men) and *Hokoku Joshi Seinen Dan* (for women and girls). The *Hokoku Seinen Dan* presented itself as a cultural, not political, group, organized according to three principles:

1. To increase the appreciation of our racial heritage by a study of the incomparable culture of our mother country;
2. To abide by [WRA] regulations and to refrain from any involvement in center politics; to be interested only in improving our moral life and in building our character;
3. To participate in physical exercises in order to keep ourselves in good health.<sup>44</sup>

In truth, the language classes and lectures on Japanese culture emphasized Japan's war aims, and morning exercises became increasingly "exhibitionistically militaristic." Nisei youth who were contemplating expatriation after the war "flocked in droves" to the language and cultural programs, eager to learn the "Japanese way of life," although many became uncomfortable with

the Hokoku Seinen Dan's extreme nationalism. The militants also became increasingly aggressive and coercive in promoting their program as the marker of racial authenticity, of the "true Japanese." They physically assaulted suspected *inu* and were implicated in the murder of one resident. Administrators, having conceded the disloyals' right to "prepare" for repatriation, did nothing to address the growing disorder.<sup>45</sup>

### Renunciation of Citizenship

It was in this context that the renunciations of citizenship took place. Congress in July 1944 passed the Denationalization Act, which authorized citizens to make voluntary renunciation of citizenship provided that the attorney general did not find it detrimental to the interests of the United States. The act broke a long legal tradition prohibiting renunciation of citizenship on U.S. soil and during wartime, which aimed to prevent citizens from evading military service or aiding the enemy.<sup>46</sup>

Just as the loyalty questionnaire had aimed to facilitate assimilation through military service and resettlement, the renunciation act was similarly originally intended to promote Japanese Americans' citizenship and their reintegration into society. Attorney General Francis Biddle anticipated that the Supreme Court would find the internment of citizens not charged with any crime unconstitutional. He desired a way to release the great mass of internees but to detain at Tule Lake the "resegregationists," whom he believed were truly disloyal and should not be allowed to be "at large on the West Coast." Biddle thought that, given the opportunity, the pro-Japan nationalists would renounce their American citizenship, which would permit their continued detention. The attorney general also sought a more moderate course as a compromise to "punitive and constitutionally doubtful" bills introduced in Congress that called for mass repatriation and for revoking the citizenship of all Japanese Americans who answered "no" to the loyalty oath. As Rep. Clair Engle of California explained, "We don't want those Japs back in California and the more we can get rid of the better."<sup>47</sup>

In a sense, the attorney general's logic acknowledged that the loyalty oath was a failure. It had not distinguished loyal from disloyal Japanese Americans. Biddle did not think that Japanese Americans were, as a group, disloyal. In fact, he had been the only high-ranking member of the Roosevelt administration who opposed internment in the weeks following Pearl Harbor, even though in the end he acquiesced to the War Department. If the registration program had produced too many "false negatives," voluntary renunciation would, Biddle thought, allow authorities to identify and detain the truly disloyal and release everyone else, serving "the purposes both of national defense and of safeguarding civil liberties." All interests—

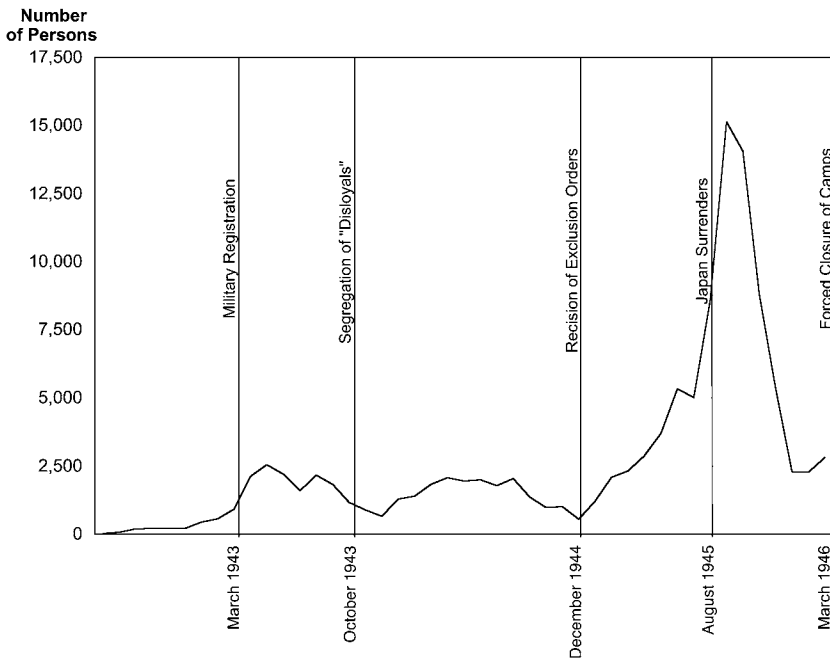
the loyal and the disloyal, the government, the Constitution—would thus be satisfied.<sup>48</sup>

It did not turn out that way. The citizenship renunciation program, like registration, was engulfed in confusion, resentment, and opposition, and produced far more renunciations than anyone expected. If renunciation became the new standard for disloyalty, WRA and Justice Department officials failed to recognize the perverse meanings that loyalty and disloyalty had acquired through registration and segregation. In effect, the government had merely ratcheted up the requirement for staying in camp.

In October 1944 the Department of Justice announced regulations for renunciation of citizenship. The procedure required the prospective renunciant to write to Washington for an application and an individual hearing to determine that the renunciation was both voluntary and not detrimental to the United States. The Hokoku Seinen Dan agitated for renunciation and widely distributed blank application forms, but by mid-December only 600 had applied to renounce their citizenship.<sup>49</sup> When Tule Lake officials received reports from informants that “several thousand Nisei and Kibei may apply” for renunciation, the solicitor’s office of the WRA conceded there was a “considerable danger that potentially good Americans who are temporarily embittered by evacuation and detention may be stampeded into hasty action which they will regret for the rest of their lives.” However, he instructed a passive course of action: “While we should not actively discourage evacuees from proceeding to renounce their citizenship, we should give them any information they request with respect to the legal consequences of renunciation.”<sup>50</sup>

On December 18 the Supreme Court ruled in *Ex parte Endo* that protection from sabotage and espionage did not permit the government to detain citizens who it conceded were loyal. Two announcements directly flowed from *Endo*. First, the Western Defense Command rescinded the mass exclusion order and announced that it would exclude persons from the West Coast only on an individual basis. The army immediately sent officers to Tule Lake to conduct individual exclusion hearings. Second, the WRA announced it would close the camps within one year.<sup>51</sup>

One would think that Japanese Americans would welcome these announcements. In fact, the war was not yet over and many internees remained apprehensive about leaving the camps, even for California, where they feared mass hostility towards them still existed. By March 1945 only 1,500 Japanese Americans from all camps had returned to California. The situation was not helped by discouraging reports from those who had returned to California to find that their homes and farms had been stolen, destroyed, or ill cared for in their absence; that housing was scarce; and that the only employment available was menial labor. The WRA would spend months cajoling internees



5.2 Outmigration from War Relocation Authority centers, by year. Outmigration includes indefinite leave and terminal departure for relocation, military service, institutions, internment camps, and repatriation to Japan. (Source: Dorothy Swaine Thomas, *The Salvage* [Berkeley, 1952], table 25, p. 615.)

to leave the camps, but most did not in fact leave until the war ended (see figure 5.2).<sup>52</sup>

At Tule Lake, administrators noted that the most “discernible evacuee reaction [to the rescission of the mass exclusion order] was opposed to relocation” and “passive resistance.” Most troubling to internees, disloyalty no longer guaranteed that they would remain in camp. Worse yet, those given individual exclusion orders by the army (and it was unclear on what grounds these decisions were made) would have to resettle outside of the West Coast. Many drew the conclusion that renouncing citizenship was the now only way to remain in camp. At Tule Lake, internees reported that they were asked during individual exclusion hearings, “Do you want to go out or do you want to renounce your citizenship?”<sup>53</sup>

Between mid-December and the end of January some 5,500 internees applied to renounce their citizenship. At Tule Lake 85 percent of the citizens over the age of seventeen renounced their citizenship.<sup>54</sup> They justified their actions variously—to ensure repatriation, to avoid resettlement, to avoid the draft. A minority was militantly pro-Japan and sought immediate repatria-

tion—those whom the Justice Department had originally targeted. For example, a Nisei woman who, with her husband, joined the resegregationist organizations explained that they had been loyal Americans but were angry that the government interned them and treated their citizenship as

but scrap-papers that gave us no privileges what so ever. . . . Eventually it is true, that the questions and the discontentments of ours caused us to doubt and turn our mind. . . . Therefore thousands of us rose decisively to clarify our status by fulfilling our duties for a true sovereign. . . . We renounced our U.S.A. citizenships to clarify our status so that we would do our parts openly as Japanese whether in time of WAR or after the WAR. We offered our serimonious-bow [*sic*] to the Emperor of Japan every morning and prayed the Victory of Japan.<sup>55</sup>

Others would later state that they had been intimidated by the Hokoku Seinen Dan and renounced under pressure and in fear of reprisals.<sup>56</sup> But more commonly internees renounced their citizenship for considered, instrumental reasons. Many believed, for example, that only by renouncing citizenship could they avoid resettlement and remain in camp until the war ended. An Issei explained: "Put it this way. If you're a Hakujin [white American], you take this matter of soiling your loyalty record seriously and would never say anything to [soil] it. But if you're a Jap and nobody believes your loyalty in this country anyway, you'll think about your future and your family. . . . We're going to have [our children] renounce citizenship just to stay here."<sup>57</sup>

A Nisei said, "You know why the boys are renouncing? They are dodging the Army draft." In some families, the son renounced to avoid the draft but the daughter did not, so the family could keep one foot in America. Even among those who described themselves as "earnest" Japanese nationalists, there was a measure of instrumentalism: "We [want to] be on the priority list to be [repatriated] to Japan. We may change our feeling after the war, but for the time being, we must rely on the Emperor of Japan, not the U.S. government."<sup>58</sup>

At the same time, others were skeptical about renouncing their citizenship. One internee said, "[I]n a way you[re] just playing into these guys [the Justice Department's] hands. . . . As I see it, it's a frame up." Another stated, "I wasn't going to give them any weapon with my renunciation. . . . You've got everything to lose and nothing to gain." Still others expressed contempt for the Hokoku's campaign to renounce and repatriate, pointing out that many proponents were Kibei who had returned to the United States between 1935 and 1937 in order to avoid the draft in Japan. "Japan doesn't want those draft dodgers. Those fellows without citizenship will just become another International Problem," said one.<sup>59</sup>

John Burling, a special assistant to Attorney General Biddle, oversaw the individual renunciation hearings at Tule Lake. Burling was determined that the “super patriots be moved out of Tule Lake” and promised that “those who have renounced their citizenship, will without much warning be put on a train and sent out.” Burling used a narrow definition of coercion—direct threat of immediate physical violence to oneself or a family member—to determine whether the renunciation was voluntary. The hearings proceeded with dispatch. Between March and May, the Justice Department approved 5,049 applications for renunciation of citizenship.<sup>60</sup>

Burling also considered the open pro-Japan activity in the camp a potential public relations disaster and did what the Tule Lake WRA administrators had been unwilling to do—he ordered that all activities promoting “Japanese nationalistic and anti-American activities and the disruption to the peace and security within the center” immediately cease. In January and February camp authorities raided the offices of Hokoku and Hoshi Dan, seizing Japanese flags, mimeograph machines, and documents, and arrested their leaders. Between December and May it sent 1,061 “renouncees and other aliens” to Justice Department detention centers in Santa Fe, New Mexico, and Bismarck, North Dakota. While the suppression of the nationalist organizations came as a relief to some, it also suggested that the WRA rewarded extreme disloyalty with detention while punishing all others with forced resettlement. Applications for renunciation continued to pour into the Justice Department through the end of February.<sup>61</sup>

Assistant Attorney General Herbert Weschler sent each renunciant a letter stating, “You are no longer a citizen of the United States . . . nor are you entitled to any of the rights and privileges of such citizenship.” The Immigration and Naturalization Service further warned them, “Since you have renounced your United States citizenship, you are now considered to be aliens.”<sup>62</sup>

Even before the attorney general approved the renunciations, some people began to change their minds. A few reconsidered and withdrew their application at their hearing; others regretted their action almost immediately afterwards. Beginning in late March, before the hearings were concluded, a number of renunciants wrote to the Justice Department asking to rescind their renunciations. They also asked the minister and project attorney at Tule Lake to help them. A number wrote to the ACLU. Their efforts were to no avail, even though the Justice Department was well aware that avoiding forced relocation was the principal reason for renouncing, not disloyalty.<sup>63</sup>

The Justice Department rebuffed all appeals from renunciants seeking to restore their citizenship, including those who wrote to withdraw their applications before they were acted upon. Edward Ennis of the Enemy Alien Control Unit told one renunciant who said he had been “confused” and “made a

mistake" that, once approved, "loss of citizenship is complete." He added, "Since, as a person of the Japanese race, you are not eligible for naturalization, I can perceive no way by which your citizenship can be regained."<sup>64</sup>

Why did these renunciants change their minds? Some expressed regret that they had behaved without fully considering the implications of their actions. Wrote one, "I realize now that I should not have let [pressure] intimidate me and should have kept my citizenship. I should never have done anything so rash."<sup>65</sup> Minoru Kiyota, who had renounced his citizenship as "the one last thing I could do to express my fury toward the government of the United States," recalled that almost immediately after he submitted his application to renounce, it "dawned" on him,

They got me! The American government threw me into a concentration camp, labeled me dangerous because I wouldn't declare my loyalty, intimidated me, and subjected me to extreme mental and physical stress. In fact, the government did such a good job of manipulating me that I just gave up my United States citizenship—voluntarily! Now they could deport me to Japan without any trouble at all, I realized.<sup>66</sup>

But, if most renunciants had acted out of a deliberate calculus to promote their individual or family's agenda, what happened to alter that calculus? The renunciants began to reconsider when they realized Japan was losing the war and they faced the prospect of deportation. Although the Hokoku Seinen Dan aggressively rehearsed Japanese war propaganda (received by short-wave radio) about Japan's military victories, there was, by the spring of 1945, enough news from other sources that suggested otherwise. After a visit to nearby Boise, a Kibei at Minidoka realized that his belief that Japan would win the war was unfounded. He became "resigned to staying in this country now. Japan's lost the war and there's no use in going back." At Tule Lake the internees learned that Germany surrendered in May and worriedly followed news about the fighting on Okinawa in June. Those who believed that "we Japanese should be talking of Japan winning the war" knew their talk was beginning to ring hollow.<sup>67</sup>

On July 14 President Truman issued Executive Order 2655, which declared that enemy aliens deemed "dangerous to the public peace and safety of the United States because they have adhered to . . . enemy governments . . . shall be subject upon order of the Attorney General to removal from the United States."<sup>68</sup> For the militant pro-Japan nationalists who wanted immediate repatriation, this was good news. But most never actually wanted repatriation, only the *option* to repatriate, and in the present context they viewed the prospect of deportation with shock and dread. In renouncing their citizenship, most internees had acted according to a strategy of keeping their families together in camp and awaiting the peace to see where their better prospects lay. This strategy led them to make certain decisions to forestall one

undesired consequence, only to constrain their future options in other ways. In fact, internees had never had much maneuverability or power. Despite Japanese Americans' efforts to resist the government's programs and to control their own fate, the forces that really determined their situation were the army, WRA, and Justice Department. Disloyalty, segregation, and renunciation in effect comprised a teleological journey that they understood only when they arrived at the penultimate point, the threshold of deportation to war-devastated Japan.

The dropping of atomic bombs on Hiroshima and Nagasaki on August 6 and 8 and Japan's surrender on August 14 created "major, mass emotional upheavals" at Tule Lake. The war was over, the army rescinded the individual exclusion orders, all were "free to leave whether they were Issei, Kibei, or Nisei, unless they were on the Department of Justice detention lists [i.e., renunciants]." Tule Lake project attorney Louis Noyes reported that a "large portion" of the camp population had "only been interested in staying in the center for the duration of the war" and was "caught off guard" by the sudden need to think concretely about resettlement. At the same time, the renunciants were "frozen," denied the right to leave and faced with the prospect of deportation. A member of Hokoku Seinen Dan wrote to the Justice Department: "After Japan surrender[ed] unconditionally, I am particularly sorry [to have renounced]." Another stated, "With the recent catastrophe in Hiroshima, it is doubtful if my husband's parents survived, so our plans have changed. Now I realize the mistake that I made and am thoroughly regretful of my action." Some, especially Nisei who "never desired to go to Japan before evacuation and have never been to Japan," became "confused, frightened, desperate and panicky." They pleaded with the Justice Department to cancel their renunciations of citizenship and, if that were not possible, respectfully asked "if you would allow us even to leave this center as aliens."<sup>69</sup>

A month before the war ended, Wayne Collins, a civil-rights attorney affiliated with the ACLU in San Francisco, visited Tule Lake and met with the parents of some renunciants who wanted to restore their citizenship. Collins was outraged that Japanese Americans had been induced to renounce their citizenship. He took on their cases in what became a thirteen-year-long legal battle to restore the citizenship of 5,000 Japanese Americans.

After Japan's surrender the renunciants remained detained at Tule Lake, while the other residents began leaving camp to return to the West Coast; 4,724 repatriated to Japan, far fewer than the 20,000 that had applied for repatriation during the war.<sup>70</sup> The Justice Department was determined to deport the renunciants, but opinion within the department was divided as to their legal status. The Enemy Alien Control Unit's view that they were Japanese enemy-alien was legally questionable, in light of the renunciants' birth in the United States and the end of the war.<sup>71</sup> In October the Justice Depart-



5.3 Japanese Americans who renounced their citizenship in the winter of 1944–1945 tried to restore their citizenship when the war ended. These citizen renunciants lined up for mitigation hearings at Tule Lake in 1945 to protest the INS’s decision to deport them to Japan. (Courtesy of National Archives [210-CL-S-14].)

ment informed the renunciants that they were “native American aliens,” fingerprinted and photographed them, and announced that on November 15, all renunciants would be deported to Japan.

Efforts by Collins, other ACLU attorneys and leaders, and WRA director Dillon Myer to persuade the Justice Department to reopen the renunciant cases failed.<sup>72</sup> In November, Collins filed two lawsuits, a habeas corpus action to release the renunciants from detention and a mass equity suit to restore the renunciants’ citizenship, and won a restraining order against the deportations. Not wishing to keep Tule Lake open indefinitely while the lawsuits were pending, the Justice Department held “mitigation hearings” for some 3,300 renunciants who requested release. It released all but 406, whom the department determined it would continue to detain for deportation. It sent them, and some family members, to internment centers in Crystal City, Texas, and Seabrook Farms in Bridgeton, New Jersey.<sup>73</sup>

The lawsuits in U.S. District Court in San Francisco came before Judge Louis E. Goodman. Judge Goodman was the son of German-Jewish immi-

grants and a liberal pluralist. He believed in "true Americanism" and opposed "intolerance as to a fellow citizen's origin or color or creed," and his own experiences with anti-Semitism may have made him sensitive to the plight of Japanese Americans. In 1944 Goodman presided over the case of twenty-seven Tule Lake draft resisters. In a bold move, Goodman dropped all charges against them, writing in his opinion that it was a "shock to the conscience that an American citizen be confined without authority and then, while so under duress and restraint, for his Government to accept from him a surrender of his constitutional heritage."<sup>74</sup>

Collins argued that the renunciations should be voided because the renunciants had not acted voluntarily. They had renounced under conditions of duress and coercion, beginning with their deprivation of liberty by the internment itself and ending in an atmosphere of fear and intimidation created by the resegregationists at Tule Lake. In each case, the renunciant was not

a free agent in any sense of the words but . . . was unlawfully confined and restrained of his or her liberty and was held in duress by the United States government, its agents, servants and employees, as the jailor, custodian and guardian of plaintiffs, its wards, and by it and its agents . . . knowingly was permitted to be exposed and subjected to the duress, menace, fraud, and undue influence practiced upon and against each plaintiff by organized terroristic groups and gangs of persons, likewise there confined, who were fanatically pro-Japanese and committed to forsaking this country and who were engaged in and allowed to engage in a continuous campaign to engender, develop and promote loyalty to Japan among the internees.<sup>75</sup>

Collins also challenged the constitutionality of the Denationalization Act on grounds that it authorized treasonous acts by enabling renunciation and expatriation during wartime and because its sole intent and application to Japanese Americans violated the Fourteenth Amendment's guarantee of equal protection. He argued further that the government's position that the renunciants were Japanese nationals was spurious because the United States does not recognize dual citizenship and that the renunciants could not be enemy aliens because the war was over.<sup>76</sup>

In June 1947 Judge Goodman granted the writ of habeas corpus and ordered the Justice Department to release the renunciants at Crystal City and Seabrook Farms. In April 1948 the court ruled in the mass equity suit. Invoking his own decision in the Tule Lake draft-resisters case, Goodman cancelled the renunciations on grounds that they had been made involuntarily under conditions of duress and declared their citizenship restored.<sup>77</sup>

The case was set back on appeal, however. In January 1951 the Ninth Circuit Court of Appeals partially overturned Goodman's decision. The court let stand the cancellations of renunciation of 899 people because they

were under the age of twenty-one when they renounced, 8 people who were declared mentally incompetent, and 58 people who had gone to Tule Lake to be with their family. But it ordered individual hearings for more than 3,000 plaintiffs to determine whether each one had in fact acted voluntarily. In October the U.S. Supreme Court refused to hear the case. To avoid the time and expense of several thousands of court hearings, the Justice Department agreed to a procedure of administrative clearance.<sup>78</sup>

Accordingly, the plaintiffs filed individual affidavits for the department to review. To organize the massive job, Collins relied on a group of renunciants who had formed a committee while still in Tule Lake to organize the lawsuit. As the case proceeded over the years, the Tule Lake Defense Committee did the yeomen's work of staying in contact with plaintiffs, who were dispersed throughout California, as well as in Japan; raising funds to support the suit by soliciting pledges of \$100 minimum from each plaintiff and collecting payments; and assisting plaintiffs with writing their affidavits.<sup>79</sup>

By 1959 all cases were resolved. Of 5,409 requests for restoration of citizenship, 4,978 were granted, and 347 were denied owing to "reliable evidence of disloyalty." The restored citizens included a number of Nisei who had expatriated to Japan after the war but found it difficult to live there and wished to return to the United States.<sup>80</sup>

As each case settled, Wayne Collins sent a letter with a certified copy of the "Final Order, Judgment and Decree" in the mass equity suit that, he explained, "forever cancels your renunciation and declares you to be a native born citizen of the United States" and "end[s] the litigation" in the matter. He wrote:

You are now free to exercise and enjoy all the rights, privileges and immunities of United States citizenship. You now may register as a voter and vote at elections. You can purchase and lease land and buildings, hold public office, obtain civil service positions and public employment on the same basis as any other citizen. You now can obtain licenses on the same basis and at the same rates as other citizens. You now can obtain a U.S. passport to travel abroad and to re-enter the United States. . . . In States where old age pension laws provide pensions only for citizens you will, in course of time, become eligible for such old age pensions because you are a citizen of the United States. You can be taxed only on the same basis as other citizens. You cannot be classed or treated as an alien. You cannot be required to register as an alien or to apply for an alien registration card. If you are in Japan you can apply to the nearest U.S. Consul for a U.S. passport.<sup>81</sup>

When in 1959 the Department of Justice announced that it had restored citizenship to all the renunciants, Edward Ennis, who as head of the Enemy Alien Control Unit had vigorously pursued deporting the renunciants, was

pleased. "I think the [department] has responded magnificently to the problems presented by taking practically all the 'divorced' citizens back into the family of our American country," he said.<sup>82</sup>

Ennis's turnabout reflected the shift in political winds between the war and the mid-1950s. At the end of the war, deportation of disloyal elements was the order of the day. In 1951 Judge Goodman anticipated the liberalism of the Warren Court, still a few years away; the Ninth Circuit's decision ordering individual determinations was more representative of the McCarthy era's obsessive suspicion of alleged subversives. But the Cold War also required the reconstruction of Japan as the principal American ally in East Asia. Accordingly, the Immigration and Naturalization (McCarran-Walter) Act of 1952 repealed Japanese exclusion and the racial requirement for naturalization. By the middle and late 1950s, a general rehabilitation of Japanese Americans' citizenship was underway, which despite being based on dispersal, assimilation, and ethnic denial, created a space for the renunciants to reclaim their citizenship.<sup>83</sup>

The renunciation and restoration of citizenship by some 5,000 Japanese Americans has been a minor narrative in the history of internment. In part this is because the renunciants—like the draft resisters—remained a stigmatized group within the Japanese American community during the postwar period. A Nisei complained, "Japan has been crushed, they do not want to go back to Japan in the condition that [it is] now and it is a good chance for them to slide from under and again get out and make it tougher for the real loyal ones." At the JACL's first national convention after the war in 1946, delegates bitterly criticized the renunciants and draft resisters for confusing white Americans as to which Nisei were loyal and which were disloyal. Veterans of the Nisei battalions urged, "No sympathy whatsoever [should] be shown towards the Tulelake [*sic*] and other such groups." Some recommended that the "troublemakers" be deported; the convention voted to bar them from membership in the JACL.<sup>84</sup>

The renunciants' alleged disloyalty disrupted the JACL's ability to construct a narrative of the camps that emphasized the undivided loyalty of Japanese Americans, their endurance and patience during internment, and their valor in military service. Although such a collective memory is understandable, as the slightest hint at disloyalty or Japanese nationalism might imply that the internment was justified, the demands of suppressed and reconstructed memories have influenced the historiography of renunciation. The literature has emphasized that in rejecting their citizenship the renunciants acted neither rationally nor out of disloyalty. Rather, it is said, the renunciants were angry and disillusioned by their internment and intimidated by the fanatical "pressure groups." The argument was first made in *The Spoilage*, published in 1946 by the Japanese Evacuation and Resettlement Study (JERS), an inde-

pendent investigation of the camps led by Berkeley sociologist Dorothy Swaine Thomas. *The Spoilage*, as the title connotes, viewed the renunciations as a tragic ending in the internment experience for Nisei and Kibei. Renunciation completed a “cycle” that began with evacuation and proceeded through registration and segregation, parental pressure and “ruthless tactics of pressure groups,” ending finally in the renunciation of “their irreparably depreciated American citizenship.”<sup>85</sup>

Michi Weglyn’s *Years of Infamy* (1976), one of the first comprehensive accounts of internment influenced by the civil rights and Asian American movements of the 1960s and early 1970s, placed internment and renunciation in the context of a long history of racism and oppression of Japanese Americans; her tone was that of outrage more than tragedy. According to Weglyn, thousands of citizens renounced because they were in a state of “mass delirium” that was induced by internment, bureaucratic malfeasance, and pressure from pro-Japan factions, which held the “neutral majority . . . in a reign of terror.”<sup>86</sup> Weglyn suggests that the government deliberately encouraged renunciations in order to rid the country of Japanese Americans. She asks, were “the authorities determined to make the people disloyal? Were total spoilage and deportation a damnation conspired at?”<sup>87</sup>

The only book-length treatment of renunciation, *Native American Aliens* (1985), by Donald Collins (no relation to Wayne Collins), similarly states that renunciation of citizenship had nothing to do with loyalty or disloyalty, but was a protest against the wartime treatment accorded them and the result of “mass hysteria . . . verging on panic.”<sup>88</sup>

In a sense the literature expresses incredulity that any American would renounce citizenship unless he or she was in an abnormal state of mind. In the same vein, the cancellation of the renunciations of citizenship is celebrated as evidence of democracy’s capacity for self-correction. But I suggest that some scholars have projected their own valorization of citizenship back onto the renunciants. I believe the conventional thinking on renunciation exaggerates the influence of the nationalists. In part this has resulted from an insufficiently critical reading of the sources. For example, JERS field research at Tule Lake, which comprised the evidence of *The Spoilage*, gave disproportionate attention to the views of certain pro-Japan loyalists who were the ethnographer’s informants.<sup>89</sup> Weglyn and Donald Collins both used *The Spoilage* as a principal primary source. They were further influenced by the legal strategy adopted by Wayne Collins in the mass equity suit. That strategy emphasized the involuntary nature of the renunciants’ acts because that was the only statutory ground from which to attack the renunciations as null and void.<sup>90</sup>

While this was proper legal strategy, it should not be mistaken for a transparent explanation of the renunciants’ actions. In fact, Collins took pains to

present the renunciants' stories in a manner that would support and not hurt their case. He instructed renunciants to stop writing personal letters to the Justice Department lest they concede that they acted voluntarily. Renunciants were instructed to send a form letter instead. Collins and the Tule Lake Defense Committee helped plaintiffs prepare their affidavits carefully, providing them with a list of questions that framed the desired narrative. It was a difficult job, given the narrow legal grounds for cancellation and the multiplicity of reasons that had gone into each person's decision. A member of the committee wrote to a renunciant in Chicago, "I have noticed that many of the renunciants are having the same difficulties. They are forced to write their affidavits 3 to 4 times before it is a presentable document. If you were in Los Angeles, I could outline it for you; but this is very difficult to do over a mail."<sup>91</sup> Another letter instructed a renunciant to rewrite his affidavit according to the following questions:

14. Did your parents apply to be repatriated to Japan because they feared that they being aliens would never again be accepted in the U.S. and because they feared Caucasians were hostile to Japanese?
15. Did your parents pressure you to sign an application for repatriation to Japan so that you would not be separated from them?
16. What were the names of the older people who urged you to join the Hokoku Seinen Dan? . . .
17. Did you ever try to resign from the organization?
18. Were you afraid to resign? . . .
20. Did any person tell you what would happen to you if you tried? . . .
23. Did you fear to be relocated in the U.S. . . . because of danger from hostile Caucasians and because you had no funds and no place to go?<sup>92</sup>

The affidavits written in the mid-1950s thus read differently from the statements made by Japanese Americans in the winter of 1944–45, when they renounced, and the letters they wrote in spring and fall of 1945, when they sought to cancel their renunciations. The comparison is imperfect because the latter two sets of data are much smaller. Still, it is striking that intimidation and coercion by the ultranationalists were only occasionally offered as reasons for renunciation in the earlier statements. This is not to say that the affidavits contained false statements but that they were carefully constructed representations of the renunciants' experiences and sentiments. In fact, the affidavits are much like the applications for renunciation, which, as Collins and others pointed out, also showed evidence of coaching. Both the applications for renunciation and the affidavits to reclaim citizenship were carefully written to obtain a desired response from the authorities.

The problem with the overemphasis on intimidation and coercion is that it casts the renunciants as victims without individual agency. It constructs

them as people whose actions were controlled by others, whether coercive parents or fanatical pressure groups. It also shifts the blame to other Japanese and reproduces stereotypes about Japanese culture as extremist, as manifested in patriarchal families and fanatical nationalism. Because the mass-delirium theory relieves renunciants of responsibility for their actions, it also leaves intact the belief that Japanese Americans were categorically not disloyal, which belief is critical to the collective memory of internment.

To be sure, the duress of internment, insensitivity and miscalculations by the WRA, parental pressures, and the coercive atmosphere created by the extreme nationalists were all factors that contributed to the renunciants' actions. But there is another factor, not acknowledged in the literature, that should make us more cautious about how we assess Japanese Americans' attitudes towards citizenship: the influence of dual nationalism. The renunciants were not exclusively patriotic citizens of the United States who were but temporarily confused. Rather, they held complicated, divided loyalties, a set of allegiances that sustained commitment to life in America alongside affective and cultural ties, even patriotic sympathies, with Japan. They may have considered the Hoshi Dan and Hokoku Seinen Dan to be extremists, but they did not necessarily believe it was abhorrent to support Japan. It may seem bizarre that people would fight to stay in a concentration camp, but Japanese Americans were not crazy to think that white Americans despised them. For otherwise loyal American citizens, repatriation to Japan was not unthinkable in the context of the war and internment.

At the same time, the history of the citizenship renunciations suggests that even if Japanese Americans sustained dual nationalisms, their patriotic ties to *both* the U.S. and Japanese nation-states were nevertheless weak. They were, above all, pragmatic people, who made pragmatic choices that were neither irrational nor primarily motivated by nationalist politics. In July 1945 the majority of citizen renunciants at Tule Lake did not so much awake from a mass delirium as realize that Japan was losing the war. They knew the liabilities of remaining in the United States without citizenship, as aliens or as stateless persons. Scholars have tended to shy away from this point—Donald Collins does not even mention Hiroshima—perhaps because it suggests opportunism. In fact this was a common charge that the superpatriots on *both* sides made against the nonideological majority.

But if the renunciants acted out of self-interest they were no different from most ordinary people, who are concerned more with their individual and family's well-being than with the interests of the nation-state. Their ethnic identity comprised many elements of historical experience and imagination, in which Japanese nationalism—an amalgam of signals from the homeland nation-state and the local interests of ethnic elites—was not necessarily the most central or even well formed. American nationalism was likewise weak, for the United States had constructed Japanese Americans as the de-

spised racial other and consigned them to alien citizenship. The war put enormous pressure on these slender reeds of patriotisms, and Japanese Americans acted in myriad ways that were at once principled and pragmatic efforts to respond to an impossible choice.

Internment was a crisis of citizenship, in which citizenship was first nullified on grounds of race and then reconstructed by means of internment, forced cultural assimilation, and ethnic dispersal. The conflicts over the WRA's assimilation policies—camp governance, the loyalty oath, the volunteer combat unit, resettlement, segregation, and citizenship renunciation—might be read as conflicts over the cultural content of citizenship. But Japanese Americans also understood that citizenship is, in the first instance, a formal status with explicit legal rights and obligations, and that loyalty is a matter of political, not cultural, practice. Without that foundation, any effort by the government to impose a normative cultural citizenship could only have had perverse results.

16. Azuma, "Interstitial Lives," chapter 7; Yuji Ichioka, "A Study in Dualism: James Yoshinori Sakamoto and the *Japanese American Courier*, 1928–1942," *Amerasia Journal* 13, no. 2 (1986–87): 49–81.

17. California Joint Immigration Committee, statement no. 448, "Statehood for Hawai'i," April 22, 1936, California Joint Immigration Committee, Bancroft Library, University of California, Berkeley. Japan automatically conferred citizenship upon those born in America to Japanese parents before 1924 and upon those born thereafter if the parents registered them with the Japan consul within fourteen days of birth. The United States does not recognize dual citizenship and as a practical matter it meant little to Nisei until the 1930s. In 1939–1940 the Hawai'ian-Japanese Civic Association gathered thirty thousand signatures on petitions to the U.S. State Department, asking it to negotiate with Japan easier procedures to relinquish the Japanese citizenship of dual citizens. I am grateful to Brian Niiya for bringing my attention to the petition campaign.

18. Azuma, "Interstitial Lives," 349.

19. Ichioka, "Study in Dualism," 70, 72–73.

## Chapter Five

### The World War II Internment of Japanese Americans and the Citizenship Renunciation Cases

1. Violet Kazue Matsuda De Christoforo, "There Is Always Tomorrow: An Anthology of Wartime Haiku," *Amerasia Journal* 19 (1993): 100.

2. In Hawai'i the government imposed martial law but did not evacuate Japanese Americans, owing to the large size of the Japanese American population and its centrality to the local labor force. However it sent 1,875 "dangerous" Japanese aliens and citizens to Department of Justice and WRA camps on the mainland. U.S. Commission on Wartime Evacuation and Relocation of Civilians, *Personal Justice Denied: Report of the Commission on Wartime Relocation and Internment of Civilians: Report for the Committee on Interior and Insular Affairs* (Washington, DC: GPO, 1983; reprint, Seattle: Civil Liberties Public Education Fund and University of Washington Press, 1997), 268–77.

3. In fact, as with all race classifications, it was not so easy to determine who was a person of "Japanese ancestry." A Catholic priest who ran an orphanage in Los Angeles inquired which children he should send—for he had under his charge some who were "half Japanese, others one-fourth or less"—and was told by Colonel Karl Bendesten, "If they have one drop of Japanese blood in them, they must go to camp." Father Hugh Lavery, quoted by Michi Weglyn, *Years of Infamy: The Untold Story of America's Concentration Camps* (New York: William Morrow, 1976), 76–77.

For general histories of internment, see *Personal Justice Denied*; Weglyn, *Years of Infamy*; Roger Daniels, *The Decision to Relocate Japanese Americans* (New York: Lip-pincott, 1975; idem, *Concentration Camps USA: Japanese Americans and World War II* (New York: Holt, Rinehart, and Winston, 1972).

4. Alien Enemy Act of 1798 (1 Stat. 577); *Personal Justice Denied*, 54–55, 286–88. In 1942 Attorney General Francis Biddle declassified Italians as "aliens of enemy nationality." German nationals were also deemed not to be a threat, despite the fact that as late as February 1939 the American Bund, which claimed 200,000 members, sponsored a pro-Hitler rally with 20,000 people in Madison Square Garden.

5. *Personal Justice Denied*, 60–63; Bob Kumamoto, “The Search for Spies: American Counterintelligence and the Japanese American Community, 1931–1942,” *Amerasia Journal* 6, no. 2 (1979): 70–72.

6. Warren testimony at House Select Committee Investigating National Defense Migration hearings (Tolan Committee), quoted by David O’Brien and Stephen Fugita, *The Japanese American Experience* (Bloomington: University of Indiana Press, 1991), 47. As historian John Dower has shown, different racial policies also marked the United States’ portrayal of the Axis enemies throughout the war: the government was careful to condemn the Nazi government and fascism and not the German people but made no such distinctions about “Japs.” See John Dower, *War Without Mercy: Race and Power in the Pacific War* (New York: Pantheon, 1986), 8–11, 34–41.

7. *Personal Justice Denied*, 6, 85–88.

8. *Personal Justice Denied*, 87–88; Weglyn, *Years of Infamy*, 40–44. See also Greg Robinson, *By Order of the President: FDR and the Internment of Japanese Americans* (Cambridge, MA: Harvard University Press, 2001). The ONI report is widely cited as the principal evidence that the government knew that Japanese Americans were not disloyal. The report, however, is not without problems. Its conclusions derived in part from the lack of evidence of subversive activity but also from stereotypes about Japanese, i.e., that the Issei were passive, unsophisticated people and that the Nisei were pathetic, overly eager Americanizers.

9. Weglyn, *Years of Infamy*, 69. On citizens rights in the absence of martial law, see *Ex parte Milligan*, 71 U.S. 2 (1866). Some forty years after the internment, the U.S. government officially acknowledged that Executive Order 9066 “was not justified by military necessity and the decisions which followed from it . . . were not driven by analysis of military conditions. The broad historical causes which shaped these decisions were race prejudice, war hysteria and a failure of political leadership.” Quoted in *Personal Justice Denied*, 18.

10. *Hirabayashi v. United States*, 320 U.S. 81 (1943); *Korematsu v. United States*, 323 U.S. 214 (1944). In 1987 federal courts vacated Hirabayashi and Korematsu’s convictions in *coram nobis* decisions, after it came to light that the Justice Department was fully aware of reports contraindicating military necessity and deliberately covered up its knowledge when it prepared briefs for the cases in 1943. However, the courts did not redress the constitutionality of the curfew, exclusion, and evacuation held in the original decisions. See Peter Irons, *Justice at War* (New York: Oxford University Press, 1983) and idem, *Justice Delayed: The Record of Japanese American Internment Cases* (Middleton, CT: Wesleyan University Press, 1989).

11. *Personal Justice Denied*, 187. Two thousand Nisei serving in two infantry units in Hawai’i were not discharged but put in a segregated unit, even though they had defended Pearl Harbor. The segregated unit, the 100th Infantry Battalion, was transferred to mainland bases and eventually sent to fight in North Africa and Italy. *Ibid.*, 187, 265. To add insult to injury, many of those honorably discharged did not receive their mustering-out pay. See Louis Noyes to Edwin Ferguson, [Tule Lake] Project Attorney’s Weekly Report, November 21, 1933, Japanese American Evacuation and Resettlement Study Papers, Bancroft Library, University of California, Berkeley (hereafter “JERS”), microfilm reel 161, frame 298.

12. Frederick C. Luebke, *Bonds of Loyalty: German-Americans and World War I* (DeKalb, IL: Northern Illinois University Press, 1971). See also Matthew Jacobson,

*Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1998).

13. Richard Drinnon, *Keeper of the Concentration Camps: Dillon S. Myer and American Racism* (Berkeley: University of California Press, 1987).

14. Orin Starn, "Engineering Internment: Anthropologists and the War Relocation Authority," *American Ethnologist* 14 (1986): 700–720, at 709, 715. On camps as "community building" projects, see Thomas and Nishimoto, *The Spoilage*, 57. On liberalism and the internment, see also Gordon H. Chang, "'Superman Is About to Visit the Relocation Centers' and the Limits of Wartime Liberalism," *Amerasia Journal* 19, no. 1 (1993): 37–60; Colleen Lye, "Model Modernity: The Making of Asiatic Racial Form, 1882–1945" (Ph.D. dissertation, Columbia University, 1999), 281.

15. In fact, WRA officials included the former superintendent of the Navajo Indian reservation and the head of the Navajo school system. See Thomas James, *Exile Within: The Schooling of Japanese Americans, 1942–45* (Cambridge, MA: Harvard University Press, 1987), 36–38; Raymond Okamura, "'The Great White Father': Dillon Myer and Internal Colonialism," *Amerasia Journal* 13, no. 2 (1986–87): 155–60.

16. James Sakoda, "'The Residue': The Unresettled Minidokans, 1943–1945," in *Views from Within: The Japanese American Evacuation and Resettlement Study*, ed. Yuji Ichioka (Los Angeles: UCLA Asian American Studies Center, 1989), 249.

17. *Rabbit in the Moon*, dir. Emiko Omori (Public Broadcasting System: Point of View, 1999).

18. James, *Exile Within*; John Provinse and Solon Kimball, "Building New Communities during War Time," *American Sociological Review* 11, no. 4 (August 1946): 396–409; Thomas and Nishimoto, *The Spoilage*, 33–40.

19. Ansel Adams, *Born Free and Equal: Photographs of Japanese Americans at Manzanar Relocation Center, Inyo County, California* (New York: U.S. Camera, 1944), 9.

20. For firsthand accounts of camps and camp life, see Mine Okubo, *Citizen 10366* (New York: Columbia University Press, 1946); Gordon H. Chang, ed., *Morning Glory, Evening Shadow: Yamato Ichihashi and His Internment Writings* (Stanford: Stanford University Press, 1997) (hereafter "Ichihashi diary"); Takeo Kaneshiro, ed., *Internees: War Relocation Memoirs and Diaries* (New York: Vantage Press, 1976) (hereafter "Kaneshiro diary"). Okubo's annotated drawings, Ichihashi's writings, and Kaneshiro's diary are among the few contemporaneous accounts of the internment experience. For memoirs, see, for example, Yoshiko Uchida, *Desert Exile: The Uprooting of a Japanese American Family* (Seattle: University of Washington Press, 1982); Minoru Kiyota, *Beyond Loyalty: The Story of a Kibei* (Seattle: University of Washington Press, 1997); John Modell, ed., *The Kikuchi Diary: Chronicle from an American Concentration Camp, The Tanforan Journals of Charles Kikuchi* (Urbana, IL: University of Illinois Press, 1973).

21. James, *Exile Within*, 104; Provinse and Kimball, "Building New Communities," 407; Ichihashi diary, 180, 239; Arthur Hansen and David Hacker, "The Manzanar Revolt," *Amerasia Journal* 2, no. 2 (1974): 112–57, at 133–34; John Embree, "Resistance to Freedom: An Administrative Problem," *Applied Anthropology* 2, no. 4 (1943): 10–14, at 12; Lon Kurashige, *Japanese American Celebration and Conflict: Ethnicity and Festival in Los Angeles, 1934–1990* (Berkeley: University of California Press, 2001), 75–118.

22. Ichihashi diary, 202; Kanehiro diary, 38, 47–48, 69, 80; "Summary of Monthly

Reports [Tule Lake],” December 1944, JERS R161/F448; Rosalie Hankey, field notes, November 20, 1943, JERS 93/265 (hereafter “Hankey field notes”).

23. Kaneshiro diary, 22–23.

24. Kaneshiro describes “boiler room conferences” of Issei men that took place daily in his block. Kaneshiro diary, 71, 79–80. See also Ichihashi diary, 188–93.

25. Embree, “Resistance to Freedom,” 14; Thomas and Nishimoto, *The Spoilage*, 184–220; Sadoka, “The ‘Residue,’” 254.

26. Weglyn, *Years of Infamy*, 140; *Personal Justice Denied*, 187–88.

27. Elmer Davis, quoted in *Personal Justice Denied*, 189.

28. *Personal Justice Denied*, 189–90; Scobey quoted in Muller, *Free to Die for Their Country*, 55.

29. *Personal Justice Denied*, 190–91; Dorothy Swaine Thomas, *The Salvage* (Berkeley: University of California Press, 1952), 615; Memo from Director WRA to Secretary of War, March 12, 1943, cited in [Morton Grodzins], “Segregation: Development of the Policy,” [October 1943], JERS 93/164. Not only did the WRA conflate assimilation and loyalty, Mike Masaoka of the JAACL recommended that the WRA should segregate “Kibei who had studied in Japan five or more years, all or part of that time falling after 1930 or all or part experienced after the age of 12.” *Ibid.*, 93/160.

30. Questions 27 and 28, Thomas and Nishimoto, *The Spoilage*, 57–58; the rest of the questionnaire is reprinted in Weglyn, *Years of Infamy*, 196–99.

31. Thomas and Nishimoto, *The Spoilage*, 65–71, 100–1, quote at 100.

32. Edward Spicer, “The Use of Social Scientists by the War Relocation Authority,” *Applied Anthropology* 5, no. 2 (1946): 16–36, at 22; Ichihashi diary, 190. The Espionage Act made it a felony to interfere with military recruitment or induction, punishable by up to 20 years in prison and a \$10,000 fine.

33. Ichihashi diary, 220, 176.

34. Thomas and Nishimoto, *The Spoilage*, 60–63; Muller, *Free to Die for Their Country*, 55–57.

35. Kurashige, *Japanese American Celebration and Conflict*, 104.

36. *Personal Justice Denied*, 195–97, 203; Thomas and Nishimoto, *The Spoilage*, 61. On resettlement, see Thomas, *The Salvage*; Charles Kikuchi diary; Charlotte Brooks, “In the Twilight Zone between Black and White: Japanese American Resettlement and Community in Chicago, 1942–1945,” *Journal of American History* 86, no. 4 (March 2000): 1655–87.

37. *Personal Justice Denied*, 208–9; Tule Lake census in Hankey field notes, July 29, 1944, JERS 93/493; Thomas and Nishimoto, *The Spoilage*, 86–87; Spicer, “Use of Social Scientists,” 24.

38. Sadoka, “The ‘Residue,’” 262–64.

39. *Personal Justice Denied*, 246–47. For a detailed treatment of Japanese American draft resistance during the war, see Muller, *Free to Die for Their Country*.

40. Myer quoted in “FBI Investigation of Tule Lake Relocation Center,” November 12–December 10, 1943, 460 (hereafter “FBI report on Tule Lake”), folder 1.4, box 14, Japanese American Internment Case Files, Records of the United States Attorneys, RG 118, National Archives, Pacific Region, San Francisco (hereafter “Internment files”); Thomas and Nishimoto, *The Spoilage*, 87; Edward Spicer, quoted in Weglyn, *Years of Infamy*, 233.

41. For details on the Tule Lake disturbances and martial law, see Thomas and

Nishimoto, *The Spoilage*, chapters 5–7; Weglyn, *Years of Infamy*, 160–65; *Personal Justice Denied*, 247.

42. Irvin Lechliter to Philip Glick, [Tule Lake] Project Attorney's Weekly Report, May 5, 1944, JERS 161/221–24. Lechliter reported, "There was virtually no response to our overture." See also Hankey field notes, May 13 and 20, 1944, JERS 93/393, 409; Thomas and Nishimoto, *The Spoilage*, 261–82.

43. FBI Report on Tule Lake, 18.

44. Thomas and Nishimoto, *The Spoilage*, 312.

45. Weglyn, *Years of Infamy*, 231; *Personal Justice Denied*, 248.

46. Act of July 1, 1944, Public Law 405 (58 Stat. 677) (repealed 1947). As recently as December 1943 the State Department had rejected a request by "truly disloyal Nisei" that they be given the status of Japanese nationals on grounds that renunciation was legally not possible. See Thomas and Nishimoto, *The Spoilage*, 309.

47. Letter, Edward Ennis to Ernest Besig, August 22, 1945, Papers of Wayne Collins, Bancroft Library, University of California, Berkeley (hereafter "Collins Papers"), microfilm, reel 26, frame 341–45; Donald Collins, *Native American Aliens: Disloyalty and the Renunciation of Citizenship by Japanese Americans during World War II* (Westport, CT: Greenwood Press, 1985), 70–74; Engle quoted by Weglyn, *Years of Infamy*, 229.

48. Ennis to Besig, August 22, 1945.

49. Collins, *Native American Aliens*, 85, 91–93.

50. Louis Noyes to Edwin Ferguson, [Tule lake] Project Attorney's Weekly Report, November 21, 1944, JERS 161/298; Ferguson to Noyes, December 6, 1944, JERS 161/300.

51. *Ex Parte Endo*, 323 U.S. 283 (1944); Collins, *Native American Aliens*, 91.

52. *Personal Justice Denied*, 241; James Wolfe, "The Dawn of a New Day," address to the residents of Topaz Relocation Center, March 10, 1945, JERS 23/627; Robert C. L. George, "Our Japanese Americans Now," *Survey* (November 1946): 291–94; Sadowa, "The 'Residue,'" 264–67.

53. [Tule Lake] WRA Reports Office, Monthly Reports Summary, December 1944, JERS 161/448, and February 1945, JERS 161/457; Collins, *Native American Aliens*, 91.

54. [Tule Lake] Project Attorney's Weekly Report, March 8, 1945, JERS 161/312–15.

55. Letter, Mrs. Y. to War Relocation Authority, Oct. 23, 1945, JERS 172/578–79.

56. See below.

57. Quoted in Thomas and Nishimoto, *The Spoilage*, 339.

58. *Ibid.*, 345, 326; Hankey field notes, May 21, 1944, JERS 93/411.

59. Hankey field notes, January 30, 1945, JERS 93/165, March 16, 1945, JERS 94/231; Dec. 18, 1944, 6–7, JERS 94/32.

60. Hankey field notes, December 13, 1944, JERS 94/26; Collins, *Native American Aliens*, 92–109; Noyes to Ferguson, March 8, 1945, JERS 161/312–15.

61. Thomas and Nishimoto, *The Spoilage*, 357; Noyes to Ferguson, Project Attorney's Weekly Report, March 8, 1945, JERS 161/312–15.

62. Collins, *Native American Aliens*, 109; memorandum, Ivan Williams to "All Japanese Renunciants, Tule Lake Center," n.d., Collins Papers 26/362.

63. Collins, *Native American Aliens*, 109; Noyes to Ferguson, Project Attorney's Weekly Report, March 14, 1945, JERS 161/316; letter, Edward Ennis to Clifford For-

ster, July 23, 1945, Collins Papers 26/336. In fact, Burling blamed the WRA decision to close the camps and forcibly resettle the reluctant camp population before the end of the war for causing so many renunciations of citizenship. Dillon Myer opposed Burling's proposal to keep Tule Lake open through the end of the war because he feared that by doing so "pressure to remain in camp will increase in the nine other centers and Myer would have 9 Tule Lakes on his hands." Hankey field notes, February 16, 1945, JERS 94/188, and January 20, 1945, JERS 94/153.

64. Letter, Edward Ennis to Y. T., July 27, 1945, Collins Papers 26/336.

65. Letter, M.R.W. to Edward Ennis, August 24, 1945, JERS 172/604.

66. Kiyota, *Beyond Loyalty*, 111–12.

67. Hankey field notes, August 23, 1944, JERS 93/537; Kaneshiro diary, 77–80; Sadoka, "The Residue," 268.

68. Quoted in Collins, *Native American Aliens*, 110.

69. Project Attorney's Weekly Report, September 8, 1945, JERS 161/354; letter, T. Y. to Edward Ennis, August 25, 1945, JERS 172/604; letter, M. Y. to Edward Ennis, August 24, 1945, JERS 172/603; [Tule Lake] Project Attorney's Weekly Report, September 8, 1945, JERS 161/312–15; letter, M. Y. and C. Y. to Edward Ennis, August 22, 1945, JERS 172/595.

70. *Personal Justice Denied*, 251–52. Of those repatriating to Japan, approximately 2,000 were renunciants. Collins, *Native American Aliens*, 121.

71. Clifford Foster, "Department of Justice Policies after Signing of Surrender," August 28, 1945, Collins Papers 26/346.

72. They argued that the renunciants were stateless, not aliens, as there could be no presumption of Japanese citizenship in view of their birth in the United States; that renunciation was not grounds for deportation; that renunciants had acted under duress. The Justice Department remained adamant that the renunciants had acted voluntarily. Ennis insisted, "I am satisfied that in substantially every case the renunciation was accomplished as an exercise of the renunciant's free will." See [Roger Baldwin] to Ernest Besig, September 17, 1956, Collins Papers 26/346; Dillon Myer to Roger Baldwin, n.d., JERS 26/337; Herbert Weschler to Ernest Besig, August 21, 1945, JERS 26/338; Ernest Besig to Alexander Meiklejohn, September 4, 1945, JERS 26/349–50; Edward Ennis to Ernest Besig, August 22, 1945, JERS 26/341–45.

73. Here, Collins parted company with the national office of the ACLU, which had recommended bringing only a test case, "even though the prospects are poor," to restrain the deportations of persons who had attempted to withdraw their renunciations. The ACLU wanted to select a plaintiff who it believed would present well to the public and whose reputation was vouched by the JACL. Collins was not interested in publicity but wanted a class-action suit to restore the citizenship of every renunciant who desired it. He also worked for the renunciants as a private attorney, keeping only informal relations with the northern California branch of the ACLU, so that he could make a range of legal arguments not limited to constitutional issues. See "Report of [ACLU] Committee on Japanese American Cases," October 3, 1945, Collins Papers 26/362; Collins, *Native American Aliens*, 115–19, 132–33.

74. Muller, *Free to Die for Their Country*, 133–34, 178. *United States v. Massaki Kuwabara*, 56 F. Supp 716 (1944).

75. Complaint to Rescind Renunciation of Nationality, to Declare Nationality, for Declaratory Judgment and for Injunction, *Abo v. Clark*, Nov. 5, 1945; file 25294-S, 4/4, *Abo v. Clark*, Internment files.

76. Brief for Plaintiffs, *Application for a Writ of Habeas Corpus by Abo et al.*, 23–23, 30–31, file Tule Lake Briefs and Affidavits for Plaintiffs and Petitioners, box 9, Internment Files; Brief for Plaintiffs, *Abo v. Clark*, 51, *ibid.*

77. *Abo v. Clark*, 77 F. Supp. 806 (1947); Collins, *Native American Aliens*, 129–30.

78. Collins, *Native American Aliens*, 137–40.

79. For example, form letter of November 1, 1948, Collins Papers 3/224.

80. Collins, *Native American Aliens*, 142; Every major city in Japan except for Kyoto was devastated by conventional or atomic bombing. Many Japanese Americans originated from Hiroshima prefecture, but returning there was impossible. In general, food and jobs were scarce. A number of Nisei got jobs with the American occupation force, but these were all cancelled in September 1947. See Collins, *Native American Aliens*, 121–22; Muller, *Free to Die for Their Country*, 177–78.

81. Form letter, December 1956, Collins Papers 4/21–23.

82. Weglyn, *Years of Infamy*, 263.

83. McCarran-Walter Act, June 27, 1952 (66 Stat. 163). Less than one-half of the Japanese Americans interned during the war returned to the evacuated areas on the Pacific Coast. *Personal Justice Denied*, 150. On assimilationism and the racial repositioning of Japanese Americans in the 1950s, see Caroline Chung Simpson, *An Absent Presence: Japanese Americans in Postwar American Culture, 1945–1960* (Durham: Duke University Press, 2001).

84. Letter, T. Y. to [Raymond] Best, Oct. 7, 1945, JERS 160/14; Muller, *Free to Die for Their Country*, 179–80; Nakanishi, “The Enduring Legacy of Executive Order 9066,” 14.

85. Thomas and Nishimoto, *The Spoilage*, 361. Unlike the anthropologists whom the WRA employed as community analysts, JERS sociologists did not work for the government and had a policy of not giving their findings to the WRA. This did not entirely relieve them of the *inu* problem, however. See Yuji Ichioka, “JERS Revisited: Introduction,” in *View from Within*, 3–27.

86. Weglyn, *Years of Infamy*, 240–47, quotes at 246, 240.

87. *Ibid.*, 234.

88. Collins, *Native American Aliens*, 34, 91–92.

89. For discussion of controversy over JERS and Rosalie Hankey, see Frank S. Miyamoto, “Dorothy Swaine Thomas as Director of JERS: Some Personal Observations,” in *View from Within*.

90. In fact, Collins was a pragmatist who was determined to use any and all arguments he thought would help win his case, including “the kitchen sink” if need be. Collins, *Native American Aliens*, 115, 123, 132–34.

91. “Resumé of meeting with Mr. Collins,” October 8, 1945, 6, Collins Papers 1/56; notes from follow-up meeting, n.d., 4, Collins Papers 1/59; letter to R. N. (Chicago), Nov. 29, 1954, Collins Papers 3/62.

92. Letter, Wayne Collins to K. Y., January 5, 1955, Collins Papers 3/70.

## Chapter Six

### The Cold War Chinese Immigration Crisis and the Confession Cases

1. “Six Companies Protest Calumny Heaped on Entire Chinese Community,” *Chinese World*, March 16, 1956, 1.