

DEPARTMENT OF JUSTICE  
Newell, California

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Manao Sakamoto  
Chairman, Sokuji Kikoku Hoshi Dan  
Tsutomu Higashi  
Chairman, Hokoku Seinen Dan  
Tule Lake Center  
Newell, California

Sirs:

Your letter of January 1, 1945 and your telegram of January 6, 1946 to the Attorney General pertaining to the apprehension as alien enemies of seventy members of your organizations on December 27, 1944 has been referred to me for reply. Although I have been in some doubt as to whether the latter merits any reply at all inasmuch as I have questioned both of you and have found that neither of you is able to write English and therefore neither could have written the letter himself and since neither of you is able or willing to tell me who did write it, I have nevertheless determined to make this reply to your communications so that your two organizations may have a clear and unequivocal statement as to the attitude and policies of the Department of Justice toward the organizations and their activities.

I may say at the outset that the tone of your communications as well as the tone of the statements made to me by the leadership of the two organizations suggests that those leaders, possibly because they have for nearly three years resided in camps safely away from the pressures of war, have lost all sense of reality. The young men of the Hokoku Seinen Dan leadership glibly assert their loyalty to the Emperor of Japan and their desire to fight in the Japanese Army. They have the effrontery to engage on American soil in semi-military drilling and in Japanese patriotic exercises to the sound of bugles. They have the impudence to appear before officials of the American Government wearing their hair cut short in the manner of Japanese soldiers and having painted on their shirts a Japanese patriotic emblem with the background of the Rising Sun. The older men of the Sokuji Kikoku Hoshi Dan do not make such spectacles of themselves but feel free not only to tell the American Government of their loyalty to Japan but even to encourage the activities of the young men.

All this would be bad enough but what is worse is that the leaders of these organizations appear to feel that because of these activities they are entitled to respect and approval not only from persons who are loyal to Japan but from the American Government itself. The tone of the

communications which the leaders of the two organizations have had with me indicates that those leaders believe that the organizations are respectable and reasonable ones entitled to the friendly consideration of this Government. In thinking that, those leaders have, as I say, lost all sense of reality.

As those of us who have not for years been sheltered behind the protective fences of this Camp appreciate and as the heroic Nisei of the 100th Battalion know all too well, America is engaged in a terrible war and is paying for the victory, which is sure, a frightful cost in blood and lives. The Japanese Army and Navy, to which the leaders of these organizations profess loyalty, commenced this war against us without warning and the victories over the Japanese Army and Navy which we have already won and will continue to win are taking the lives of thousands of our young men of every ancestry, including your own.

Under these circumstances only children or half-crazy people could suppose that the American Government can look with friendship or approval upon organizations openly engaged in activities designed to show loyalty to the enemy. In my opinion the reason the leadership of those organizations so foolishly fails to understand the attitude which the American Government must take toward the organizations is that the leaders have throughout most of the war refused to fight in the American Army, been unable to fight in the Japanese Army and have sat in safety and even relative comfort in a Government camp. Tule Lake may not be a delightful place to live but there is little doubt that the foxholes are worse. Sheltered as they are, the leaders do not know the meaning of war.

Members of the organizations, particularly the Hokoku Seinen Dan, tell me that they are anxious to fight for Japan and that they should receive at least the respect due to enemy patriots. I doubt very much whether they are entitled even to that consideration. In the first place, the members of the Hokoku Seinen Dan are almost all American citizens. They were born in the United States. Even by the Japanese code, loyalty is a matter of birth; and this country, therefore, is the mother country of the members of the Seinen Dan. Yet in time of war these young men, who were born in this country, have betrayed it and have demonstrated their loyalty to the enemy. They are not patriots, but traitors. They are, thank God, but a small minority of the young people of Japanese ancestry born in this country, but they are a disgrace and a shame to their brother Japanese-Americans who have proved with their blood that they understand what it means to be loyal to the country of one's birth.

Not only are the leaders of the Hokoku Seinen Dan traitors to the country of their birth but is very doubtful whether they are truly loyal to Japan. A very large number of the leaders are Kibei who left Japan after 1937. In that year Japan commenced the China Incident which, although it was not a declared war, was nevertheless a

bloody and costly one. Ever since 1937 soldiers of the Japanese Army have been fighting in China. Ever since that time there has been compulsory military service in Japan. Of course, few people left Japan who were actually drafted but many of the young men who were 17, 18 or 19 in those years left one jump ahead of the draft. If you do not believe this, look around among your Kibei friends. Ask yourselves why these boys who now say they are so anxious to fight and die for the Emperor didn't stay and do so when they had the chance. Ask yourselves why it is only now, when they are snug and safe in an American camp for the duration of the war, that they decide that they want to fight for Japan. Is it not that they know they will go back to Japan after the war and know that the veterans of the Japanese Army will ask them why they left during the Chinese war and where they were when the fighting was going on? Is it not their hope that by this foolish head-shaving and bugle-blowing they will persuade people of their Japanese patriotism even though when they were last in Japan they fled from the draft?

Some of the young men admit they left Japan during the fighting in China, but say they are now going back on an exchange ship and fight. There is reason to doubt their sincerity. In the first place, while they were making these assertions it looked to everyone as if there would be no more exchanges during the war. Although throughout the entire war the United States government has been anxious to exchange Japanese nationals desiring to return to Japan for American citizens in the Orient, Japan has agreed to only two exchanges and had not agreed to any since October 1943. Thus it seemed perfectly safe for the boys who did not fight when they had the chance to say that now they wanted to go back on an exchange ship and fight. In the second place, it is not at all clear yet what the conditions of the exchange will be, or even if there will be one. Ordinarily men of military age are not exchanged or, if they are, an agreement is made between the belligerents forbidding them to fight. This may be included in the terms of the contemplated exchange. The boosters still may be safe.

Many of the leaders of the Sokuji Kikoku Hoshi Dan and the Hokoku Seizen Dan have expressed the view that the activities of these organizations are permissible since residents at this Center were told, when it was established as a segregation center, that this Camp was to be for persons who look toward a future in Japan and, in a sense, was to be for persons who were loyal to Japan. This is wholly wrong. It is true that this Camp was set aside as a segregation center and that by and large persons who were denied leave clearance were transferred here. It is also true that many persons who were segregated here had already declined to express their loyalty to the United States. Many people, however, came here to be with their families or for other reasons unrelated to loyalty to Japan. Thus, it is incorrect to say that this is a camp exclusively for Japanese patriots and that pro-Japanese activity is therefore permissible. No Government can force inner loyalty. Those Issei who feel loyal to Japan may live quietly in the Camp and continue to feel that

loyalty. Those Nisei who feel loyal to Japan may, under the new statute, apply for renunciation of their citizenship; and, if it is approved, they, like their elders, may live in a Camp quietly and continue to feel that loyalty. No one, however, has the right to engage in pro-Japanese demonstrations and parades or to publish pro-Japanese newspapers or to wear a semi-military uniform bearing the emblem of the Rising Sun on it. What is even more important, no one loyal to Japan has the right here to seek to convert others to that loyalty. I am well aware that your two organizations have put pressure on residents of this Center to assert loyalty to Japan and that in a number of cases physical violence was employed. There is no more right to engage in Japanese patriotic ceremonies or to publish a pro-Japanese paper in this Center, where some loyal Americans still live, than there is anywhere else in the United States. It is as treasonable to coerce others into asserting loyalty to Japan here as it would be outside. All these activities will stop.

Coming to the specific questions which you asked the Attorney General in your letter of January 1, 1945, you are informed that the seventy men apprehended by the Department of Justice on December 27, 1944 were apprehended as alien enemies pursuant to Section 21 Title 50 United States Code, which authorizes the apprehension of alien enemies who are deemed dangerous to the internal security of the United States. All of these men were alien enemies either because they were Issei to begin with or because they were dual citizens who had renounced their American citizenship, thus leaving only Japanese citizenship. Their internment as alien enemies was deemed in the national interest by the Attorney General because of the subversive activities of the organizations of which they were leaders.

You next state that these men were originally segregated in Tule Lake with their families because of their professed loyalty to Japan and ask why they are now interned and separated from their families. They have not been interned because of their feeling of loyalty to Japan but because they were leaders in subversive organizations which encouraged the pro-Japanese activities to which I have referred. They were apprehended because it was felt to be necessary to remove them to a Department of Justice internment camp where their conduct could be more carefully controlled. At some later date it may or may not be possible to arrange for their internment in a camp where their families may join them. At the present time there are not sufficient family camp facilities to permit this. The Geneva Convention does not guarantee an enemy, whether a prisoner of war or a civilian internee, the right to have his family with him. Internment in family camps is an additional humanitarian procedure provided by this Government which can be provided only as there is space available.

Your third question asks why the men who were apprehended on December 27 were not given time to bid farewell to their families or to pack their belongings. Since the men were apprehended in the middle of the night when they presumably were in their apartments with their families, I should suppose they did in fact have an opportunity to say goodbye. I also understand that they were able to take with them their necessary belongings.

You last state that one of the seventy men was arrested when his mother was ill and you assert that his removal was, therefore, inhuman. It is, of course, unfortunate that this man's mother was ill at the time but there is nothing inhuman about the son's apprehension. Persons who engage in subversive activities may expect to be apprehended and if this apprehension comes at an unfortunate time, that is his own responsibility. In view of the fact that seventy men had to be moved by special train, it was necessary to conduct the operation with speed and efficiency and, although I am unaware of the details of the movement, I assume that there was a practical reason which made it impossible for the apprehended man to visit his mother. The Department of Justice desires to be humane but when dealing with avowed enemies of this country the interests of the United States will, within the safeguards of the Geneva Convention, come first.

In your letter of January 1, 1945 you refer to the apprehension of the seventy men as an "intolerable incident". There is nothing whatever "intolerable" about that incident. What is intolerable is that the activities of your two organizations continue. Since these activities are intolerable, they will not be tolerated but, on the contrary, will cease.

For the Attorney General

John L. Burling