

February 12th, 1944

A clarification of LOYALTY.

Loyalty towards a Country or a Nation is a matter of the sentiment. It is nurtured from a knowledge of justice received. It is a covenant of faith between the party of the People on the one hand and the party of the Government on the other. In this agreement, the People is obligated to maintain the inviolability of the Instruments of our Government i.e., maintain the sanctity of the Constitution, the Bill of Rights and the various Constitutional Amendments. For this service, the Government assumes the responsibilities of justice, freedom, liberty and security to the inhabitants of the Nation.

Under such an interpretation, the President terminated the agreement between us...Nissei...when he caused to be evacuated 112,000 People of Japanese descent without due process of Law. In so doing, he violated the very fundamentals of our democratic form of government. He disregarded the guarantees invoked in the Constitution and the Bill of Rights. Thereby, he caused us into Citizens without a Country...Citizens whose status and rights are suspended as enforced residents of concentration camps through force of military threat. By these acts, the Constitution, the Bill of Rights and the various Constitutional Amendments is of doubtful value as Instruments guaranteeing Life, Liberty, Justice, Freedom and Security.

With such conditions in existence, where does our Country need us the most now...on the home front where justice, freedom and democratic practices are slapped in the face or, on foreign battlefields to uphold dubious principles and ideals ?

We believe a correct understanding must be had, at this time, between true patriotism and loyalty on the one hand from regimented concepts of misguided interpretations and thoughtless enforcement of autocratic orders on the other.

We believe the first duty of every true and loyal Citizen is the protection of the Constitution and the Bill of Rights. The cornerstone of these Instruments of our Government are Justice, Liberty, Freedom and the protection of Humane Rights as intended for them by God and by Nature. As is undeniably established by existing facts, these are flagrantly violated in the various procedures of our evacuation, pauperization, deportation, detention and denial of liberty and due process of law and denials to us of representation in the moulding of our lives and destinies.

Thereby, we believe the issues forced upon us by these vibrations are ~~an~~ matters of vital importance as to warrant a decided attitude...not for our benefit alone but, as a safeguard to our hitherto free and democratic form of government. IT IS VITAL AS AN ISSUE OF NATIONAL IMPORT IF DEMOCRACY AND THE FREE INSTITUTIONS OF OUR GOVERNMENT IS TO EXIST AS WAS INTENDED FOR US BY THE SIGNERS OF THE

Declaration of Independence, the Revolutionary heroes, the signers of the Constitution, the author of the Bill of Rights and the Proclamation for the emancipation of slavery.

However, we are faced by odds...the Roosevelt Administration and his war machine. Such being so, we quote Judge Denman....  
 "WHERE CLAIMS OF OPPRESSION ARISING FROM CONGRESSIONAL LEGISLATION ARE NOT REGUARDED AS MAKING THE LEGISLATION INVALID, THE CLAIMANT SHOULD LOOK TO CONGRESS FOR HIS REMEDY."

Now comes the War Department through the Selective Service demanding our lives, our blood, our hopes and our future without any rectification of the injustices rendered us through unconstitutional procedures. Thereby, we accept Judge Denman's index and, look to Congress for a just and equitable settlement through a clarification of our Rights and status as enforced residents of these Concentration Camps without due process of law.

Then too, Abraham Lincoln said...." If by the mere force of numbers a Majority should deprive a Minority of any Constitutional Right, it might in a moral ~~sense~~ point of view justify a revolution...certainly would if such RIGHT were of a vital one".

Under this contention, certainly, there are two vital issues at stake involving us. The first is the Constitutionality of our Evacuation, pauperization, deportation, concentration, detention denial of freedom and justice, denial of the due process of law, The second point of issue revolves around " does an unlawful act added to an unconstitutional procedure make justice as guaranteed by the Constitution and the Bill of Rights ?

We do not contemplate any revolution but, WE DEMAND JUDICIAL AND ORDERLY PROCEDURES IN THE HANDLING OF OUR DESTINIES. Thereby the question,...are the evacuation, the pauperization, the deportation, the concentration, the detention, the denial of freedom and justice etc.....all these without due process of law and, without any finding of guilt...are these in accord with the sanction and guarantees of the Constitution and the Bill of Rights ? The answer is a definite NO.

Thus, to be drafted or not to be drafted or, to be loyal or not to be loyal are not the questions at issue. To us, the fundamentals of a Democracy is at stake. In the preservation of the principles and ideals of freedom, justice and democratic practices as guaranteed by the Constitution and the Bill of Rights within our own home front lie any hope to validate and justify any utterances of freedoms and democracies....the only barrier against tyranny by the Majority over Minorities.

Dependent thereupon, we must rectify the breaches made upon the guarantees of justice, freedom, equity and democratic practices by the Roosevelt Administration. ON THIS ASSUMPTION WE MUST, AS TRUE AND LOYAL CITIZENS OF THIS NATION, ASK A FIRST CLARIFICATION OF OUR CITIZENSHIP RIGHTS AND STATUS AS FORCED RESIDENTS OF THIS CONCENTRATION CAMP UNDER THREAT OF MILITARY FORCE AND BARBED WIRE ENTANGLEMENTS BEFORE COMMITTING OURSELVES TO AFFAIRS THAT WERE ABBROGATED BY THE PRESIDENT'S PROCLAMATION FOR OUR EVACUATION AND SUBSEQUENT AND ATTENDANT UNCONSTITUTIONAL MEASURES, PROCEDURES AND REALITIES.

The procedures and methods employed by this Government towards us profess no respect for individual or national rights as those intended for Citizens of this Nation by the framers of the Constitution and the Bill of Rights.

Neither Congress, the Judiciary nor the President have as yet, made acceptable pronouncement to validate the acts of wholesale pauperization, evacuation, deportation and concentration of 112,000 Humane Beings from their rightful homes and inheritances.

We have not as yet, received hearing nor trial through acceptable channels to vindicate our right to clear conscience, freedom, justice liberty and security. Our legal status in these concentration camps have not been clarified. We are herded within barbed wire fences and, guarded against freedom and justice by soldier's bullets and bayonets. We exist as Citizens without a Country. In truth, all the guarantees of Humane Rights and National security have been denied us.

" COMMON SENSE AND JUSTICE DICTATE THAT A CITIZEN UNDER SUSPICION SHOULD HAVE THE FULLEST HEARING POSSIBLE, PLUS THE OPPURTUNITY TO PRESENT EVERY REASONABLE DEFENSE". (Justice Murphy of the U.S.A. Supreme Court ) These two important Humane rights have been denied us. These are the backbone of the Constitutional and democratic form of our government. Thereby, the sanctity of the Constitution and the Bill of Rights have been flaunted aside by the President's order to evacuate 112,000 innocent members of a law abiding Minority from the Pacific Coast areas.

Under these conditions, what are we ? Are we American Citizens ? Are we Enemy Aliens ? Or, are we ...what ?

THIS ABSENCE OF CLARIFICATION OF OUR STATUS AND RIGHTS IS THE KEYSTONE OF OUR INDECISION TOWARDS ANY PROPER ORIENTATION OF ATTITUDE TOWARDS THE DRAFT AND LOYALTY.

If we are Enemy Aliens then, we owe no obligation to bear arms for a Country that is not our's.

If we are nothing but Oriental monkeys, as have been attributed us in the past, then, propositions and offers of compensation should be advanced for the ruination of our health, the uncertainties of fertilizing foreign battlefields with our rotting carcasses or, to compensate those losses to Dependents and loved Ones.

If we are Americans by right of birth and Constitutional grant then, why our wholesale pauperization, why our evacuation, why our deportation, why our concentration, why our detention, why ~~our~~ the denial to us of justice, freedom, the due process of law, the pursuit of happiness, the pursuit of free enterprise and security. ~~and why the denial to us of those other securities and guarantees of the Constitution, the Bill of Rights and the various ammendments to the Constitution? ...all these without due process of law ?~~

True, we have been given a Hearing Board by the President as a belated gesture towards a due process of law.

Out of it, we are told that we are free Americans through the "Leave Clearance". But, is this propoganda true in reality? Certainly we are told by the WRA that it is so because we are urged to relocate. Thereby, IF WE ARE FREE AMERICANS, WHY THE NEED OF OBTAINING WRA CONSENT FOR OUR ACT OR MOVEMENT: WHY THE POSTING OF THE MILITARY AROUND OUR BARBED WIRE ENCLOSURES?

Assuredly, as McGowen, our project attorney said...oh, that is not the WRA; it is the military...meaning the WRA is urging but the military is responsible for our detention. These are contradictions...paradoxes of the most peculiar Constitutional interpretations. Again true...the WRA have been urging us to relocate but, this is under their own terms only of entangling red tape that smacks too much of THE PAUPER'S OATH.

Thereby, if we are Americans and Citizens of this Nation by right of birth and Constitutional grant then, let it be reiterated and decided once for all and, without equivocation our position as members of this Nation in such wise that future un-Constitutional measures need not be visited upon us or any other Minority Group to satisfy the lusts of unbridled ambition, bigotry, discrimination or Race hatred. This may be done by placing in the scale of justice the claims and rights of our past, our unhappiness of the present and, guarantees for our future and then, propose and accord us a just and equitable settlement. Errors have been made. Errors should not be justified by added errors. Errors should be rectified.

The granting of this request is not for our selves alone. This Nation of a hundred and thirty millions People is a conglomerate of many Minorities. There is no telling when one or more of them might be isolated for persecution, plunder or immolation...fates similar to those upon us today. Tomorrow, it may be any one of them. For this reason, WE DEDICATE OURSELVES TO THE PROTECTION AND SACREDNESS OF THE CONSTITUTION AND THE BILL OF RIGHTS BEFORE DEVOTIONS TO ANY OTHER CONSIDERATIONS. We consider such an act on our part as a practical test of our true loyalty and patriotism. The Revolutionary Heroes fought for a Principle; the Civil War was fought for a Principle; we will try the issue for our Principle which is a rectification of the breaches made upon the Constitution and the Bill of Rights. For this purpose, we refuse recognition of any orders issued in behalf of the Selective Service.

Such a recognition is in accord with the principles that motivated the Declaration of Independence, the War of Rebellion, the Constitution, the Bill of Rights and the Proclamation for the emancipation of slavery.

The knowlege of security and authority in those established Principles of our Government will alter our concepts of freedom and justice into their normal channels. When that happens, we will know of a Country and a Cause worthy of our blood, our happiness, our future and our lives. With the possession of such knowlege, we need never feel ashamed of our degradation when we come face to face with the Enemy. With such assurance in our possession, OUR LOYALTY NEED NEVER BE QUESTIONED, FOR SUCH LOYALTY IS UNADULTERATED.

After all, loyalty is not a commodity to be exchanged for a pawnbroker's benediction. It is an essence of the Soul that is bred from a knowlege of justice.

act of redemption for value received. The degree of loyalty owed or withheld increase or decrease in proportion to the manner of Justice given or Tyranny practiced.

OUR LOYALTY AND ALLEGIANCE IS TO THE UNITED STATES OF NORTH AMERICA, IT'S CONSTITUTION, THE BILL OF RIGHTS AND THE VARIOUS AMMENDMENTS TO THE CONSTITUTION. The President may command them only as long as he maintain his Presidential Oath. This, he has failed to date.

Signed

*Kiyoshi Okamoto*

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February 12th, 1944

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