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FEBRUARY 8, 1993

THE RETURN OF THE FAIR PLAY COMMITTEE
TO LOS ANGELES

ON RISE;

THE PANELISTS are seated on the upper edge of a 20 foot square of bare floor. They sit on metal folding chairs behind black music stands; LAWSON INADA; sits on tall stool by a raised black music stand and holds a wireless mike. The panel sits on beige metal folding chairs set on black risers six inches off the ground. DWIGHT CHUMAN; GRANT EMI; FRANK EMI; JAMES OMURA; MITS KOSHIYAMA; DAVE KAWAMOTO; GEORGE ISHIKAWA GLORIA KUBOTA; GRACE KUBOTA YBARRA.

Centered above and behind the panel, suspended from chains is the covered ten foot long and four foot high blow up of a photograph of the 63 resisters of the first group from Heart Mountain, in the courtroom, in Cheyenne.

Behind the panel is the low stage and rectangle wrapped in brown paper. FRANK ABE introduces the panel.

FRANK ABE

(A few words of welcome, and intro Lawson Inada, Sansei, Fresno born; evacuated to Rowher and Jerome in Arkansas; now a professor of English at Southern Oregon State College, in Ashland, Oregon. Poet. Author of "Before the War: Poems As They Happened," (Wm Morrow- 1971); and "Legends from Camp" (1992) from Coffee House Press of Minneapolis

Inada is also a co-editor of "The Big Aiiieeeee!" (Meridian/Penguin group- 1991) Pages 52-82 contain an examination of the Heart Mountain draft resistance and the Japanese American Citizens League opposition to test cases.

At 3 o'clock, the Little Tokyo Library, in the room next door, will open and autographed copies of Michi Weglyn's YEARS OF INFAMY; William Hohri's, REPAIRING AMERICA; Lawson Inada's LEGENDS FROM CAMP; and THE BIG AIIIEEEEE! will be on sale. Proceeds from the sales of these books will go to paying the bills of this event.

FRANK ABE moves off to the side..

LAWSON INADA rises. He wears a jacket, colored shirt and tie. To his right sits DWIGHT CHUMAN in jacket and tie.

LAWSON INADA

Good aftnoon, welcome to this history-making event.

We're here today to set the record straight with the pages of history.

You might say this is a very very expensive history project fifty years in the making, and that it's cost a great deal of life. However, today, you are invited to participate in this homecoming, which is also a reunion.

LAWSON INADA and FRANK ABE step up to either end of the photo-mural.

LAWSON INADA

Today is Sunday, February 21, 1993.

The place is Little Tokyo, Los Angeles, California.

The fifty year delay in bringing the story and the boys of the Heart Mountain draft resistance home--is over.

LAWSON INADA and FRANK ABE remove the brown paper and uncovers the enlarged portrait of the first group 63 resisters .

LAWSON INADA

The story: In brief:

With the outbreak of World War II the US government accepted the Japanese American

With the outbreak of World War II the US government accepted the Japanese American Citizens League as the representatives of Japanese American will and opinion.

The army imposed limits on the movement of all persons of Japanese ancestry inside the United States.

Gordon Hirabayashi, a university student, violated the military curfew in Seattle. Minoru Yasui, an attorney, violated the curfew in Portland. Fred Korematsu, a man in love, violated the military orders in Oakland. All three became test cases.

The government announced plans to evacuate all persons of Japanese ancestry from the west coast and intern them in ten large concentration camps called "Relocation Centers"

James Omura, publisher of *Current Life*, a magazine of Nisei art and ideas --before a joint congressional committee in February 1942, protested the planned evacuation as unnecessary, rejected the leadership of the JACL and asked if "Gestapo tactics" were not being used to deal with a racial minority.

On April 6th 1942, Mike Masaoka announced the official JACL -quote-"*stands opposed to all test cases to determine the constitutionality of the military orders.*" -end quote-- denounced the resisters Hirabayashi, Yasui and Korematsu as -quote-"*self styled martyrs out to win headlines.*" -end quote--and articulated a policy based

on the belief that good publicity was more important to the immediate needs of the Nisei than good law.

The JACL stated many times from 1942 on, that - quote-*The Nisei are sacrificing their rights for the opportunity to prove Japanese American loyalty with their blood.*-end quote. Through good publicity, the Nisei would be accepted and assimilated by white America.

The histories of Japanese America by Bill Hosokawa and Budd Fukei describe a Japanese American history led by the vision of Mike Masaoka and the JACL and realized by the battlefield exploits of the All-Nisei 442nd Regimental Combat Team.

In these histories of Japanese America by Japanese Americans the resistance that occurred in camp is described as small, insignificant and composed of the deluded, the cowardly, spineless, and demented.

Histories of the concentration camps for Japanese Americans by Roger Daniels and Douglas Nelson are more equivocal about the moral and mental competence of the Heart Mountain draft resisters and include more of the information needed to independently corroborate the existence of the Heart Mountain Fair Play Committee.

From the time of their Evacuation from the West Coast in 1942 on, the Nisei were declared unfit for the draft. In January of

1944 the government reclassified the Nisei I-A and began drafting Japanese Americans out of camp.

Numbers:

The total number of persons of Japanese ancestry interned: one hundred twenty thousand three hundred and thirteen.

The total number of Nisei eligible for the draft: nineteen thousand, nine hundred sixty three. (19,963)

The total number of Nisei men eligible for the draft who answered "No" "No" to questions 27 and 28 of the Leave Clearance Registration Form or qualified their answers or didn't answer --and were segregated to Tule Lake: four thousand six hundred. (4,600)

The total number of dues paying members of the JACL: They claimed thirty thousand. Under pressure they admitted to eighteen hundred. (1800)

The total number of Nisei to volunteer from camp for the all-Nisei combat unit was one thousand one hundred eighty one (1,181) 805 were accepted.

The total number of Nisei volunteers accepted from the mainland was one thousand two hundred (1200).

More Nisei were killed and wounded than actually volunteered from the mainland.

The draftees and Hawaiian Nisei were also brave.

The total number of Nisei who paid two dollars and signed the Fair Play Committee membership roster: two hundred.

The total number of men ordered to appear for their pre-induction physicals who resisted the draft from Heart Mountain: Eighty five.

One hundred and eight on the Fair Play Committee roster were drafted and appeared for their physicals, or were never drafted and never arrested.

The total number of Nisei who resisted the draft, were convicted, sentenced to the federal penitentiary and subsequently pardoned on Christmas Eve of 1947--is 315.

The first group of 63 draft resisters from Heart Mountain were tried in the Tenth District US Court in Wyoming, in June of 1944. They were convicted.

A second group of 22 were sentenced under the June conviction later the same year.

The Heart Mountain resisters were sentenced to three years in federal penitentiary. All but two actually served two and a half years. Married men at Leavenworth, Kansas. Single men at McNeil Island, Washington.

One, Fred Iriye, was electrocuted, handling a defective switch in the power house at McNeil Island and died. His footprints were burned into the cement floor and are still visible.

One, Jack Tono, instead of earning good time--days off for good behavior--lost his good time and served 26 days more than the other Heart Mountain boys.

The leaders of the Fair Play Committee including Mr. Frank Emi and Mr. James Omura, a journalist who was never interned, were tried in November of 1944 in the same court.

Omura was acquitted, but his career in Nisei journalism was over. In Japanese America he was a pariah. The resisters in camps across the continent respected him and historians of Japanese America Roger Daniels, Douglas Nelson, Paul Jacobs, Michi Weglyn, and William Hohri single him out for quotation, up to the moment he disappeared.

Frank Emi and James Omura are both with us tonight.

And from Mountain View and San Jose, Gloria Kubota, and her daughter Grace Kubota Ybarra, Dave Kawamoto, and Mits Koshiyama are here.

Here, in Little Tokyo, Los Angeles, we will hear will hear a frame up. We will hear an interrogation.

To help me tell the story of the resistance in the words of people and documents who made things like the arrest and conviction of Frank Emi, and the stand of the Fair Play Committee happen--is Mr. DWIGHT CHUMAN, to my immediate right

DWIGHT CHUMAN is A Sansei writer. He is formerly English language editor of the *Rafu Shimpo* and is now the editor of *Gambling Times magazine*. Mr. Chuman has been researching the story of the draft resistance since 1980.

The Heart Mountain *Sentinel*, of October 24, 1942 described the camp in northwest Wyoming to its readers:

DWIGHTCHUMAN

Heart Mountain Relocation Project is in Park County, about midway between Cody and Powell, not distant from world famed Yellowstone Park. The project takes in roughly 46,000 acres, of which 27, 000 are considered irragable. The elevation of this part of the country is around 4600 feet above sea level. \The temperature ranges from approximately 100 degrees maximum to 35 degrees below zero. Rainfall is from 6 to 8 inches per year. \Principal crops to be raised are alfalfa, small grains, sugar beets, beans, potatoes, and sweetpeas. Truck crops have not been raised in this vicinity on a commercial scale, but experience indicates that they are well-adapted to this area. Heart Mountain Center is directed by C.E. Rackford, for many years with the U.S. Forest Service. Under him is a staff of experts, all of them specialists in a particular field. A great measure of self-government will be practiced and the Caucasian staff will serve primarily in an advisory capacity."

LAWSONINADA

The story of the draft resistance at Heart Mountain and what happened to the resisters is perhaps best told by Mits Koshiyama and how and where he published his thoughts on the U.S. Constitution in 1989, the Bicentennial Anniversary of the ratification of the U.S. Constitution.

In 1989, another history of Japanese America authored by Bill Hosokawa, appeared. "JACL: In Quest of Justice." Leather bound copies were made and distributed to members of the US House and Senate.

"Is the Constitution Just A Piece of Paper" by Mits Koshiyama comes to our attention, not from a major New York publisher, not from the editorial page of the home town paper, not from the editorial and letters page of an English language Japanese American newspaper.

Mr. Koshiyama's tribute to the Heart Mountain resisters was published in the paper of the high school where he happened to be working as a part-time gardener.

High school was where Mits Koshiyama and the resisters learned about the U.S. Constitution just before the war. And to high school students he addressed his question:

"Is the Constitution Just A Piece of Paper?"

by

Mits Koshiyama

MITS KOSHIYAMA

(Reads)

When I recall what happened forty-five years ago, many unpleasant memories return. When Japan bombed Pearl Harbor, Japanese-Americans living on the Pacific coast were devastated. We were immediately treated as enemy sympathizers even though we were American citizens.

I can still remember all the accusations at the time such as Japanese-Americans aiding the enemy in Hawaii, and that we were spying for Japan on the Pacific Coast.

The United States Government at that time would not tell Americans the truth even though the army and navy intelligence proved that we did not commit any crimes, against our country, the U.S. Government still allowed these rumors to persist. I believe this led us to be interned in the concentration camps for the duration of the war.

I always believed in the Constitution of the United States. It was written to protect all the rights of American citizens and to insure all Americans equal protection under the law. All these rights were denied me when I needed them the most. The United States Government denied me the Writ of *Habeas Corpus*--the right to be tried in court to prove my innocence. I believe the government's reason for denying me a day in court was that they couldn't find me guilty of anything. But public pressure put me in a concentration camp against my wishes.

When a group of young internees cried out for their constitutional rights, a congressman replied that the Constitution was just a piece of paper.

I often wonder when the teachers at Willow Glen High explain the framework of the Constitution as the supreme law of this country, if they really believe that it protects the rights of all citizens. I can assure you that it doesn't

I really want to blame my internment on racist "white America," but Japanese-Americans were just as guilty. We just didn't have the courage to fight racism and to fight for our constitutional rights.

Rather than to fight for their rights, our leaders, the Japanese American Citizens League, took a different approach. They encouraged all of us to cooperate with the government even if it meant giving up our citizenship rights. Forty five years later, these same people are saying that their constitutional rights were violated. It's amazing how brave people can get when it's safe to do so.

But not all Japanese-Americans acted in this manner. Some acted like Americans and fought for their rights. When the government tried to draft the internees into a segregated infantry unit, some had the courage to say that they wouldn't serve without the return of their constitutional

rights. They explained that they wouldn't fight for a free world when their families were interned in a concentration camp.

Our leaders branded these resisters as troublemakers and said that they were trying to ruin the 'proper image' of the Japanese-Americans. This happened in Heart Mountain Camp and I was there to see it firsthand.

The reason that I am writing this article is to awaken all minorities to the importance of the Constitution. You must fight for your rights when they are violated. Never, NEVER surrender your rights as citizens of the United States-- like we did.

1989 marks the 200th anniversary of the United States Constitution, a document which has become a symbol of freedom and justice throughout the world.

But if it is to last another 200 years, we must stop thinking of it as just a symbol, and do our best to actually practice the principles it lays down. If we don't, the Constitution might very well become "just a piece of paper.

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LAWSON INADA

The Fair Play Committee attracted people to their messhall meetings by distributing a series of mimeographed bulletins.

The first bulletin of the Fair Play Committee, as all three of the bulletins issued by the Fair Play Committee, was used as evidence against the leaders in their trial.

FRANK EMI

(Reads)

FAIR PLAY COMMITTEE

"One for all- all for one"

WE SHOULD KNOW

The Fair Play Committee believes that the first duty of every loyal citizen is to protect and uphold the Constitution of the United States. The cornerstone of this instrument of our government is JUSTICE, LIBERTY, FREEDOM, AND THE PROTECTION OF HUMAN RIGHTS. The desecration of any one of these is a direct attack upon the fundamentals that molded our democratic institutions.

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 point of view justify a revolution." The Fair Play Committee do not intend to start a revolution but we demand judicial and orderly procedures in the molding of our destinies.

If we are American Citizens of this Nation by rights of birth and Constitutional grant, then, let it be decided once and for all without equivocation our positions as members of this nation by a rectification of our evacuation, our concentration, our detention, our pauperization by Judicial Pronouncement and Congressional act and

restoration of our freedom, liberty, and all rights as guaranteed by the Constitution.

By the granting of these, we will know of a cause and a country worthy of our blood and our lives, and we need never feel ashamed to look the enemy in the eye. The granting of these will not only liquidate the injustices of the past, but it will guarantee against any future unwarranted inroads upon the Constitution and its principles. It will guarantee assurances to the other minorities who otherwise may face a similar fate in the future. It is accord with principles that motivated the Declaration of Independence, The War of Rebellion, the Boston Tea Party, the Constitution, the Bill of Rights and the Proclamation for Emancipation of Slavery.

The Fair Play Committee believes it has a right to ask for a clarification of our status, and full restoration of our rights, and abolishment of the discriminatory features of the Selective Service as applied to Japanese Americans, before being drafted into the armed forces.

THIS ABSENCE OF CLARIFICATION OF OUR STATUS. RESTORATION OF OUR RIGHTS, AND LIFTING OF DISCRIMINATORY RESTRICTIONS AGAINST US IS THE KEYSTONE OF OUR INDECISION TO ANY PROPER ORIENTATION OF ATTITUDE TOWARDS THE PRESENT PROGRAM OF DRAFTING US FROM THIS CONCENTRATION CAMP.

Thus, to be drafted or not to be drafted, or to be loyal or disloyal, are not the questions at issue. To us, the very fundamentals of Democracy is at stake. If Democracy and Freedom is to exist in this country, then we must uphold the ideals and principles of the Constitution and right the wrongs committed to a minority group.

LAWSON INADA

With the issue of the third bulletin, dated March 4, 1944, the Fair Play Committee spelled out their strategy and challenged the Government to draft them so they might resist and test the constitutionality of the camps in court.

FRANKEMI

Thus, the members of the FPC unanimously decided at their last open meeting that until we are restored all our rights, all discriminatory features of the Selective Service abolished, and measures retaken to remedy the past injustices thru Judicial pronouncement or Congressional act, we feel that the present program of drafting us from this concentration camp is unjust, unconstitutional, and against all principles of civilized usage

Among the one thousand odd members of the Fair Play Committee, there are Nisei men over the draft age and Nisei girls who are not directly affected by the present Selective Service program, but who believe in the ideals and principles of our country, therefore are helping the FPC in our fight against injustice and discriminations.

We hope that all persons whose ideals and interests are with us will do all they can to help us. We may have to engage in court actions.

LAWSON INADA

Frank Seiichi Emi was the second child and first son and raised on a farm with his older sister, and younger brother and sister.

The FBI report leading to the arrest of Frank Emi and the leaders of the Fair Play Committee, Kiyohsi Okamoto; Paul Nakadate; Guntaro Kubota; Minoru Tamesa; Isamu Horino, Ben Wakaye, introduces us to Frank Emi through a portrait of a man the FBI report identifies as Nishimoto, the informant.

DWIGHT CHUMAN

Nishimoto advised that he was very much concerned over the activities of the Fair Play Committee in the center and of course the consequent reaction on the public outside. He desired to cooperate with the Agents and is very willing to testify in court as to what he knows.

Nishimoto has for quite some time been rather friendly with Frank Emi. For his own information he has endeavored to keep track of activities through this friendship.

When asked as to the possible authorship of the three mimeographed circulars mentioned previously, Nishimoto stated that he was asked to buy some mimeograph ink by Emi in the latter part of February 1944.

Nishimoto stated he would endeavor to purchase the same for him but when he came back he told Emi that he had been unable to make the purchase

LAWSON INADA

The bulletins were acts of sedition and conspiracy to the FBI. They needed an author. Identifying Frank Emi with ink, was evidence he was the author of the bulletins.

The FBI report continues:

GRACE YBARRA

Nishimoto has conversed with Emi on the Fair Play Committee approximately one half dozen times. Emi has spoken to Nishimoto to the effect that the draft should not apply to the evacuee nisei.

Nishimoto also recalled that on the morning that Dave Kawamoto was arrested for not reporting for his induction physical examination that Emi spoke to Kawamoto's mother saying to her not to worry for the Fair Play Committee would take care of him.

Emi admitted to Nishimoto that he had coached the fellows in the meeting the the night of April 5, 1944 to plead not guilty when they were arrested before the Commissioner.

DWIGHT CHUMAN

A further conversation was had with Nishimoto on the morning of April 11, 1944, by the Agents. Nishimoto had deliberately contacted Emi the previous afternoon to try to develop additional information.

Nishimoto had gone to Emi's house and noticed much documentary material about the place but could not offer any specific descriptive information explaining it. In the casual conversation with Emi that afternoon, Emi advised that if his citizenship status was not cleared up he was going to ask for repatriation to Japan. He also stated that he had coached the fellows picked up for draft evasion to plead not guilty before the Commissioner.

LAWSON INADA

Dave Kawamoto's mother appeared on the stand with the aid of a translator and testified that the conversation Nishimoto described taking place between herself and Frank Emi, never took place.

Who is this Frank Emi who enjoys a fink specifically assigned by the FBI to bring him down?

The leaders of the Fair Play Committee were Kiyoshi Okamoto, Paul Nakadate, Isamu Horino, Minoru Tamesa and Frank Emi.

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Okamoto, the brains, was brilliant but had fits of temper that could be difficult to tolerate. Nakadate spoke well before a group but did not do well under pressure. When interrogated by Project Director Guy Robertson Nakadate was reduced to begging total confusion. Ben Wakaye, the treasurer of the Fair Play Committee was panic stricken from the beginning to the end of his interrogation. Tamesa was physically

intimidating, very strong and 3rd degree kendo, and a brown belt in Judo. Isamu Horino was unpredictable and, like Frank Emi was a 3rd degree black belt in Judo. These five were intellectually or physically brilliant, but they had moments of uncontrolled mood and temper.

Frank Emi was the plain spoken, dignified unpretentious, common man people tended to trust.

Mr. Frank Emi:

FRANKEMI

On 10 September 1942, our entire family, my wife, my nine-month old daughter, parents, two sisters and brother, all went to Heart Mountain Concentration Camp in northern Wyoming, via Pomona Assembly Center, where we had been for about four months.

We arrived at Heart Mountain in the middle of a violent dust storm. You could not see further than ten or fifteen feet. That first winter was unpleasantly memorable. It was the coldest winter in Wyoming history. We were attired in southern California clothing. None of us had even a topcoat. The barracks did not get an inner wall of celotex until the middle of December. We had our first snowfall in late September. I mention this to give you an idea of the harsh environment into which we were thrust.

My first involvement in the resistance movement, if you will, began with the introduction of the so-called loyalty

questionnaire. The questionnaire contained thirty questions.

Two of the questions, number 27 and number 28 were controversial.

Number 27 asked, "Are you willing to serve in the armed forces of the United States whatever ordered?" If you answered "Yes," the implication was that you were volunteering for the army.

Number 28 read, "Will you swear unqualified allegiance to the United States of America and faithfully defend the U.S. from any and all attacks by foreign or domestic forces--[up to this point, no problem]--and forswear any form of allegiance or obedience to the Japanese Emperor, or any other foreign government, power, or organization?" If a Nisei answered "Yes", he or she was admitting a previously sworn allegiance to the emperor. And in the case of an Issei or first generation immigrant, who were prevented from becoming citizens of this country because of racist naturalization laws at that time--if they answered "Yes" they would become persons without a country.

After studying the questionnaire for some time with my younger brother Art, I finally came up with a response to the questions. To both questions, I was going to answer, "under the present conditions and circumstances, I am unable to answer these questions." This was my real feeling at the time.

With the help of my brother, Art, we hand printed copies of my answer on sheets of

paper and posted them on mess hall doors and other public places throughout the camp, with a notation that these were suggested answers to those two questions. That was my initial activity in the grassroots movement. About this time, a Nisei pastor made a speech at a gathering urging the people to cooperate with the registration program and to answer in the affirmative to the two questions. After he finished speaking, another gentleman, Kiyoshi Okamoto, got up and spoke. Okamoto, a soil test engineer from Hawaii, was about fifty years old. He talked about the Constitution and the Bill of Rights, and the abridgement of all our rights by the government, without due process. He said, that as American citizens, we should stand up for our rights instead of following a policy of appeasement. The man was well versed in the Constitution. His speech was an inspiration to some of us who had similiar feelings. During this period he referred to himself as the "Fair Play Committee of One." After that meeting several of us got together with Okamoto and had a long talk. This resulted in the formation of the Heart Mountain Fair Play Committee as an organization.

In January, 1944, the Mike Masaoka--JACL inspired draft law was introduced into the concentration camps--the end result of the dismal showing of the volunteer programs at the centers.

The Fair Play Committee took up the draft issue. We conducted public meetings to

discuss all the ramifications of this program. When the administration got wind of the subject of the gatherings, they refused to give us permits. Still, we kept holding these meetings. Since the draft was of great concern to the internees, the meetings usually attracted a full house.

Our two main speakers were Mr. Okamoto and Paul Nakadate. The two speakers rather complemented each other. Okamoto was blunt in his speech and sometimes tended to get salty with his vocabulary. Paul, on the other hand, was smooth and polished. Mr. Guntaro Kubota did the Japanese translation for the Issei parents.

The people who attended the meetings agreed with the stand that the Fair Play Committee took on the draft issue--that drafting of Nisei from these concentration camps, without restoration of their civil rights and rectification of the tremendous economic losses suffered by them, was not only morally wrong, but legally questionable.

Some of us wanted the Fair Play Committee to take a more positive stand on the draft issue. As an organization committed to fight for civil rights, we felt that we had to challenge the legality of the draft law as applied to the concentration camps. After a heated session of the steering committee, we members who wanted to test the law prevailed.

There were about 400 in attendance at the next public meeting. Of the assembled group

about 200 were paid-up members of the Fair Play Committee. We presented resolution to the members. It was unanimously endorsed. However, not all the members that endorsed it resisted when their draft notices came. They were fearful of being arrested and going to jail. We did not hold any ill-will toward those Fair Play Committee members who did not resist. That was their option.

We were charged with conspiracy to violate the Selective Service Act and with counseling others to resist the draft. This was on July 21, 1944.

Indicted with us was Mr. James Omura, English language editor of the Rocky Shimpo, based in Denver, Colorado. This we could not understand. We had never met Mr. Omura, and had never talked with him.

We sent news items to him, just as we did to the Denver Post, The Billings Gazette, the United Press, the Pacific Citizen, and the Wyoming Eagle.

We tried to get help from the American Civil Liberties Union (ACLU). All we received was a letter from the New York branch of the ACLU discouraging us from pursuing our struggle. Roger Baldwin, then director of the ACLU, in a letter to Kiyoshi Okamoto dated 6 April 1944, said, in part:

(1) The men who have refused to accept military draft are within their rights, but they of course must take the consequences.

They doubtless have a strong moral case, but no legal case at all.

(2) Men who counsel others to resist military service are not within their rights and must expect severe treatment, whatever justifications they feel.

We finally retained A. L. Wirin, a noted constitutional attorney for the ACLU, as private counsel. Mr. Wirin advised us that the chance of winning this case at the district court level was pretty slim, and that our best chance was in the appellate court.

Our trial was held on 23 October 1944, in the Federal District Court in Cheyenne, Wyoming. During our trial a surprise witness appeared in court. His name was Jack Nishimoto, a Nisei in his early forties. He lived near me at Heart Mountain. We had been on friendly terms, since I had done some favors for him when I was driving a truck in camp. We were wondering what he was doing in court.

Well, we found out soon enough. When Nishimoto took the stand, he began to tell wholesale lies. In his perjured statements, he attributed false statements to me. In fact, his testimony was all directed against me. I just listened in complete amazement. My amazement turned to anger.

The reason the government tried such tactics, I believe, is because when the FBI questioned me a few days prior to being arrested, I did not give them one bit of information

regarding my role in the Fair Play Committee. In order to tie me into the conspiracy, they had to have evidence. Jack was to provide that evidence with his perjured testimony. Not until then did I realize what "dirty tricks" the prosecution could employ.

We had planned an offensive strategy. We came right out and said we had done everything that we were accused of doing. Moreover, we had done it openly and in public. Furthermore, we declared our belief that the draft law as applied to the concentration camps was not only morally wrong, but unconstitutional as well. The District Attorney seemed taken aback by this turn of events.

As a result of this strategy, Jack Nishimoto's perjured testimony was of no consequence. He just made an ass of himself, besides exposing his role as an informer. When the declassified FBI files became available to the public, Jack's role as an informant for the FBI was there in black and white.

In a report made by FBI agent Harry W. McMillen, dated 24 April 1944, he quotes from the report of the Heart Mountain community analyst, Asael T. Hansen, to Dillon S. Myer, director of the War Relocation Authority, detailing Jack Nishimoto's informant role. Hansen further details how Nishimoto purposely got close to me, visited my living quarters, spied on my personal effects, etc. Nishimoto conjured up imaginary conversations and statements, supposedly uttered by me, and reported them

to the FBI via the community analyst. If he had been more truthful, it wouldn't have been as disturbing.

Just as Mr. Wirin had indicated, we lost our case. Judge Eugene Rice sentenced the seven of us to 4 years at Leavenworth Federal Penitentiary. James Omura was acquitted. However, the court fight left him in bad financial shape. The JACL continued to harass him. This was a trial which never should have taken place for Jim.

We filed an appeal to the Tenth Circuit Court of Appeals. Mr. Wirin requested bail for us, pending the decision of the Appellate Court. The judge refused, stating, "you men are agitators, the camp will be better off without you."

Finally, after 18 months when the war with Japan had ended, the Tenth Circuit Court of Appeals, sitting in Denver, rendered their decision. They reversed the convictions of all seven leaders. In giving their opinion, Justice Bratton said, "one with innocent motives, who honestly believe a law is unconstitutional and, therefore not obligatory, may well counsel that the law shall not be obeyed." We had finally won our battle. I believe this was one of only two cases won by the Nisei in the Appellate Courts during that period.

The trial of the "63" ended on June 20, 1944. They were found guilty and sentenced to three eyars. About thirty went to McNeil

16:06:

Island Federal Penitentiary. The rest were sent to Leavenworth.

To give you an idea of how "Justice" works, the following were the penalties that various judges dealt out to the Nisei resisters even though the charges were identical. Judge Louis A. Goodman dismissed the indictments against twenty seven draft resisters from Tule Lake, saying, "it is shocking to the conscience that an American citizen be confined on the ground of disloyalty and then, while so under duress and restraint, be compelled to serve in the armed forces or be prosecuted for not yielding to such compulsion." In Arizona, the judge fined the Poston draft resisters one cent. no jail term. In other camps, the sentences ranged from two to five years.

16:07

We filed an appeal on behalf of the "63". The Appeals Court affirmed their convictions. The U.S. Supreme Court refused to review the case.

At Dillon Myer's request the prison board denied the resisters parole. They each served about twenty-seven months of their three year sentences.

On Christmas Eve, 1947, President Harry S. Truman granted a Presidential Pardon to all Nisei draft resisters. All political and civil rights were restored. The head of the Amnesty Board, former Associate Justice of the Supreme Court, Owen J. Roberts, issued a report in conjunction with President Truman's proclamation. In this report the

Board commented on the wartime dilemma of the Japanese-Americans who had been convicted of violation of the Selective Service Act. It said, in part, "although we recognized the urgent necessities of military defense, we fully appreciate the nature of their feelings and their reactions to orders from local Selective Boards."

The records of the Nisei draft resisters were cleared, and their fight for a principle was vindicated.

Kiyoshi Okamoto was chairman of the Fair Play Committee, until his exile to Tule Lake. I never saw him again after returning to Los Angeles. Paul Nakadate, also mentioned earlier, was an excellent speaker. He became chairman after Mr. Okamoto was taken away. Paul was twenty-nine years old, married, and had one child. He passed away at the age of forty nine. Sam Horino was a single man, about twenty-nine, and one of the original members of the Fair Play Committee. He still resides in Monterey Park.

Minoru Tamesa, also single, about thirty, was from Seattle. Minoru was one of the "63", a guest at Leavenworth at the time of the conspiracy trial. He was brought to Cheyenne and, when sentenced for two years in that trial, served it concurrent with his previous sentence. He passed away in his early fifties.

Ben Wakaye was the treasurer of our organization. He was about thirty, also single, and one of the "63." He, too, came back from Leavenworth for the conspiracy

16:09

proceedings. His two-year sentence also ran concurrent with his previous sentence. Ben passed away a few years after returning to San Francisco. The sixth member was Guntaro Kubota. He was an Issei married to a Nisei girl, and had two children. He was forty-four years old. I can still remember a conversation I had with Guntaro one day, while we were sitting in our cell at Leavenworth. He said, "Emi, I'm really proud to be with you fellows. If I don't ever do anything else in my life, this will be the proudest thing I ever did because I had a part in your fight for a principle." I will never forget his words.

Mr. Kubota passed away at the age of sixty-two.

The final member of the "7" was myself. I was twenty-seven at the time and married with two small children. My duties included corresponding with the attorney, sending news items to the papers, and helping with the composition of the bulletins, among other things. Of the seven members involved in the conspiracy trial, Sam Horino and I are the only ones left.

LAWSON INADA

The WWII motto of the JACL was: "For Better Americans in a Greater America." The Nisei who answered "Yes" "Yes" to the loyalty questions in 1943, and volunteered for the all-Japanese American combat unit faced another questionnaire before acceptance. Nisei were awarded points for or against

their acceptance for each answer, as described in an Army document titled:

ANALYSIS CHART OF SPECIAL QUESTIONNAIRE RELATING TO CITIZENS OF JAPANESE ANCESTRY WHO MAKE APPLICATION FOR VOLUNTARY INDUCTION INTO THE ARMY OF THE UNITED STATES FOR SERVICE WITH THE COMBAT TEAM.

What kind of Nisei was fit to become a better American for a greater America? Add up the points.

DWIGHT CHUMAN

QUESTION 1. Name--If first name is anglicized and Japanese given name is no longer used--(1 point in favor.). If Japanese given name is still used (1 point against).

QUESTION 8. If married and wife is American citizen-- (1 point in favor). If citizen of Japan-- (1 point against.).

QUESTION 13. If subject attended Japanese Kindergarten--(1 point against). If subject attended American grade school --(no score). If subject attended Japanese language school--(1 point against)--length of time here is very important. If he continued language school while in high school, it shows less Americanization than if he told parents he now didn't have enough time to go. (1 point against).

QUESTION 15. Christian--(2 points in favor). Buddhist--(1 point against.) Shintoist--(2 or 3 points against him.) Worships regularly at Shintoist shrine--reject him.

QUESTION 16. Membership in the Japanese-American Citizens League--(2 points in favor). Membership in any of the attached lists of Japanese organizations (he shouldn't belong to these if he's a Nisei)--reject him... If a member of the CIO--(1 point against).

QUESTION 18. Facility in reading Japanese--(2 points against him); Speaking Japanese--zero. No knowledge of Japanese --(2 points in favor.). If subjects speaks a foreign language other than Japanese--(1 point in favor.).

QUESTION 19. If interested in Kudo, Judo, or Kendo--(1 point against him). If high Judo--Best to reject him. Judo instructor--reject. If sport is typically American--(1 point in favor). If sport is typically Japanese--(1 point against him). If hobby is collecting anything--this is not to good--(1 point against him). If hobby is photography or radio--(1 point against him).

QUESTION 24. If subject reads American magazines and periodicals--(1 point in favor.) If subject reads Japanese publications--(1 point against him). If "Pacific Citizen" is included in American periodicals (this is JACL publication)--(1 point in favor.)

LAWSON INADA

No one has suggested that the secret to winning WWII was to evacuate and intern 120,000 persons of Japanese ancestry and force their young men to form an all-Nisei regiment.

Neither Japan nor Germany claimed Mountainview or San Jose, or Los Angeles, California as Japanese or German possessions by any right.

What was at stake for the Japanese Americans and America was the rule of law. American democracy is founded on the notion that "government rules with the consent of the governed..." as Thomas Jefferson put it, in "The Declaration of Independence."

In the Bulletins of the Fair Play Committee and the battle for the Nisei conscience taking place between the editorials of James Omura in the *Rocky Shimpo*, and the JACL's weekly *The Pacific Citizen*, and camp newspapers, like the Heart Mountain *Sentinel*-- Japanese America participated in the re-invention of the legal process known as: the petition for redress of constitutional grievances.

The Fair Play Committee identified itself with the Boston Tea Party, and the Declaration of Independence. To the British Crown, the Boston Tea Party was a crime.

The "Declaration" was in fact, written in the form of a petition for redress of constitutional grievances, in the tradition of Anglo-Saxon law. Since the Magna Carta the only way to begin the process of petitioning for a redress of a constitutional grievance was to violate the law one found to be constitutionally obnoxious, get arrested and come up against the law in court.

To test the constitutionality of the camps, a Nisei had to break a law.

Neither the performance of the all-Nisei 442nd nor the entire US armed forces in WWII had any bearing on the constitutionality of the laws enabling the government to intern all persons of Japanese ancestry.

James Omura was the only Japanese American writer of any kind--fiction or non-fiction; artist or journalist who sympathetically reported and seriously considered the actions and the argument of Japanese American resisters as they emerged in the camps. For this: he paid a price. His ostracism from the Japanese American community was so complete even his admirers, including the resisters themselves, thought he was dead.

No, he was actually in Denver. It was in Seattle, at the Commission on the Wartime Relocation and Internment of Civilians field hearings that we were pleased to learn James Omura was still among the living.

In February, 1944 James Omura wrote two expressions of opinion in his column in the *Rocky Shimpo*, a Japanese American bilingual weekly newspaper published in Denver.

In "Let us not Be Rash," Omura wrote:

DWIGHT CHUMAN

The Nisei are well within their rights to petition the government for a redress of grievances. Beyond that, it would be treading on unsure footing. We must not forget that we are at war. This department does not encourage resistance to the draft.

Those who are resisting the draft are too few, too unorganized and basically unsound in their viewpoints.

Expatriation is not the answer to our eventual redemption of democratic and constitutional rights. Unorganized draft resistance is not the proper method to pursue our grievances. Expressions and feelings of disloyalty, purely because democracy seems not to have worked in our particular case, are neither sound or conducive to a healthy regard of our rights.

We do not dispute the fact that such rights have been largely stripped and taken from us. We further agree that the government should restore a large part of those rights before asking us to contribute our lives to the welfare of the nation--to sacrifice our lives on the field of battle.

But ours should not be an act of rashness or haste. There is no reason why we should not petition for a redress of grievances, but there is every reason why we should not resist the draft in the way it is being done now.

###

LAWSON INADA

Omura's writing had the effect of focusing the Fair Play Committee's strategy and infuriating the JACL and the FBI.

His editorials were rational, cautious and patriotic. Still, he was arrested for writing them. The FBI found one editorial especially seditious. It was titled:

"Freedom of the Press"

Mr. James Omura.

JAMES OMURA

(Reads)

FREEDOM OF THE PRESS

Does freedom of the press exist in War Relocation Centers? It would not seem so, if our opinion were to be based on the editorial expressions of camp organs. Instead, it would indicate a controlled press.

16:21

The editorials and the prominence given to certain types of news tend to reflect the views and policies of the W.R.A. rather than real attitudes and true opinions of the vast majority of west coast evacuees who are under temporary confinement in these centers. The editorials represent the minority and pro-administration views.

The highly controversial issue of the reinstiution of selective service for American-born citizens of Japanese parentage has more than ever emphasized the striking variance of evacuee opinions with the editorial stands of camp organs.

For example the Heart Mountain *Sentinel* is extremely inconsistent on Nisei draft. In its much-quoted editorial--Selective Service Limited--it sounded a ringing denunciation of the restrictive and discriminatory features of the current selective service program. On March 11, it made right-about face in maliciously attacking the Issei population of Heart Mountain and the Fair Play Committee, the latter militantly fighting for restoration of constitutional rights as a prelude to military induction.

The Minidoka *Irrigator*, for instance, has the same wavering policy, now one way and then another. It technically took exception to the current draft procedures and then turned turn-coat with a hallelujah chorus, urging Nisei to respond to selective service and rapping those who opposed the draft.

16:24

The petitions forwarded to Washington are far more indicative of the majority sentiments prevailing within relocation centers as well as without. The great majority of such petitions have been approved by the community councils, which represent the people of each center.

Then again, in the matter of the Japanese American Citizens League, it is a well established fact that that organization's strength has been broken in relocation centers. It is believed that at least 90 percent of the people in the centers are opposed to the JACL.

The Manzanar *Free Press* editorially supports the JACL. The citizens of Manzanar are strongly opposed. In fact, the Manzanar citizens recently forwarded a resolution to Washington asking for withdrawal of WRA recognition of that organization as applying to their center. The Topaz Times is also in a somewhat related position.

The WRA has indulged in widespread suppression of the true facts of conditions in War Relocation Centers. It has attempted to indicate to the general outside public that it is doing a competent job and whatever news that tends to discredit their program is suppressed where possible. The wave of draft criticism has not been permitted to be publicized generally and any individual or groups within the centers who express dissatisfaction to the present procedures are vigorously condemned, persecuted and coerced into silence. The incident in Amache and the current situation in Heart Mountain are glaring cases in point.

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LAWSON INADA

Asael T. Hansen, the Community Analyst, the WRA anthropologist, writing as an informant to the FBI under color of social science, noted with alarm, that in one three week period in March 1944, subscriptions to the *Rocky Shimo*, at Heart Mountain jumped from one

thousand to twelve hundred. A sudden increase of two hundred.

Subscriptions to the *Rocky* also jumped at other camps.

Mits Koshiyama , tell me, did you read the *Rocky Shimo*?

MITSKOSHIYAMA

Yes, I did.

LAWSON

How did you find out about the *Rocky*? and What did you think about James Omura's editorials.

MITSKOSHIYAMA

(Ad lib)

The Issei gave the paper to us and told us we should read Jimmie's editorials.

I found them inspiring.

I always wondered why, if there is freedom of the press in this country, why was Jimmie Omura arrested and tried as one of the leaders of our resistance movement. He had never so much as set foot in Heart Mountain camp.

16:28

LAWSONINADA

The JACL response to Omura was swift and total. They threatened all who resisted the draft and James Omura with social ostracism. The Heart Mountain *Sentinel* editorialized:

DWIGHTCHUMAN

These young men, most of them in their early twenties and some still in their teens, today face imprisonment in a federal penitentiary.

Somebody must shoulder the responsibility for wrecking the lives of these boys. That responsibility can no more appropriately be given to anyone than to the editor of the *Rocky Shimo*.

James Omura will be inducted as the number one menace to post war assimilation of the nisei.

LAWSON INADA

Saburo Kido, National President of the JACL wrote in his column in the *Pacific Citizen*:

There is no doubt in our mind that the Fair Play Committee is composed of misguided Nisei. The *Rocky Shimo* must take responsibility for encouraging the activities of these young people.

What we regret most is the fact that Nisei in other centers seem to have been influenced by the misguided writings of the editor of the *Rocky Shimo*.

DWIGHT CHUMAN

Larry Tajiri, editor of the JACL weekly, the *Pacific Citizen* wrote:

The editorial function of a newspaper should remain the province of its editor but when the irresponsible carrying-out of this function approaches the thin edge of sedition and menaces the welfare of all Americans of Japanese ancestry, then it becomes the concern of all.

The *Rocky Shimpō* appears to be deliberately engaged in an attempt to undo the positive services which Japanese Americans at war and producing for victory at home have contributed.

LAWSON INADA

On May 4, 1944, George Ishikawa, one of the boys of Mountain View- San Jose, sent Frank Emi a letter.

Emi sent copies of Ishikawa's letter to Department of the Interior. Harold Ickes, the Secretary of the Interior, answered. He sent copies of the letter to the Department of Justice. Edward Ennis director of the Alien Enemy Control Unit answered. Emi sent copies of George Ishikawa's letter to the Associated Press, the United Press, the Billings Gazette, and the Wyoming *Eagle*, and the *Pacific Citizen*.

The trial of the 63 Heart Mountain boys would be headlined as the largest criminal trial in Wyoming history.

On the eve of that trial, this letter to Frank Emi was front paged on the Wyoming *Eagle*.

George Ishikawa was to be here, to read his letter and be acknowledged by his fellow resisters and friends today. His son Glen had given George a pair of tickets to Los Angeles.

A few days ago, George Ishikawa wrote us why he was not coming:

February 9, 1993

Dear Frank,

This is the moment I have been waiting for these long years in silent suffering and I am

16:30

16:34

deeply saddened and disappointed that I cannot share this moment with you, your friends and my fellow resisters for whom I have always had the highest respect and esteem.

I could hear my dearest wife, so beautiful in spirit, with whom I have been so fortunate to have shared 53 years-wondrous years together--sobbing and crying the whole night through, before my son Glen called you to tell you of our change in plans.

I had always known that she had been hurt but I never truly realized the depth of her anguish and pain she had been carrying by herself all these long, long years. Never complaining-- she has kept it from us within herself.

I do not think I can ever know the depth of the pain and suffering she had to endure.

I can only guess. Living in a conformist closed Japanese society that was the camp, confined in ever closer quarters, her husband was a non-conformist whom they considered had spearheaded the actual physical resistance to the draft.

Here she was, the wife of the hated non-conformist who is bringing disgrace and shame to our race. What a convenient target upon whom to vent our anger and rage.

What courage and endurance it must have taken to survive the vicious onslaught of taunts, of barbs, of ridicule and brush offs as they attempted by whatever means to destroy her as a person.

My sons and their wives are trying ever so hard to convince her that times and conditions have changed but the pain and

wounds of her experience must be deeply deeply imbedded in the very fiber of her being. Their attempts seem to be of no avail. Thank you so much for sending me all the program material. With them, I can feel that at least in spirit, I am with you on the wonderful, wonderful long awaited day.

Sincerely,
George Ishikawa

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Mr. YOSH KUROMIYA reads George Ishikawa's May, 1944 letter addressed to Frank Emi.

YOSHKUROMIYA

(Reads)

Dear Frank and friends,

We are supposed to leave for Cheyenne on Monday or Tuesday, according to what the Marshall has told us. The Grand Jury is scheduled to convene on May 8th.

The fact that at last will come our chance for the trial for which we have so fervently hoped and prayed for all these past months is making us feel restless and impatient. But we are eagerly and determinedly awaiting the day, knowing deep within our hearts and minds that no matter how the trial ends, we are right. Our conscience and our hearts shall be clear, knowing that we have had the courage to fight for a fundamental principle.

We may lose the verdict, but the verdict shall be man-made; and with the passing of time, eternal truth and right will come to light--that is my firm belief.

Yes, truly, it is the first time since our arrival here that time seems like time and that time does not fly. It seems only a mere three or four days that we have been in confinement when in reality it is about a month and a half now.

Word has reached us through a hint the FBI dropped when he visited us here, that the prosecution will try to base their case solely on the matter of evading the draft. We are not considering whether to report for the draft or not., to live or die, as the true issues, nor the principle we are fighting for. We are hoping that the Government, for once and for all time, will really try to solve the issue confronting it and not try to evade the issues; clarification of our Constitutional Rights, review of the record of its past unjustified and discriminatory acts, and the remedy and rectification of the unjustified and discriminatory acts, and the remedy and rectification of the injustices committed and being committed on us during evacuation, its attendant pauperization of our people and the detention without cause of loyal citizens. We are hoping that they will do their utmost toward restoring the rightful and untouchable dignity of citizenship that is the birthright of any citizen of this nation.

We are firm in our belief that reinstatement of the draft without the discriminatory features, as it applies to us at present, should come only after proper clarification and reinstatement of full citizenship rights. The Government should make us the free citizens that all loyal citizens of this nation should be, before ordering us to serve in the armed forces. In our present status of virtual war prisoners with all our civil rights suspended and limited, it is almost impossible for us to face the future without fear that what has happened to us can always happen again. It is against the recurrence of such history-blackening precedents that we are fighting for. We are fighting to make those words "regardless of race, color, or creed," become a reality, and not mere vague and hazy ideals..

What prompts an individual who, fully realizing the priceless value of life and knowing well that we can live but one life, to willingly offer his life in defense of his country? What is he fighting for when he joins the fighting forces?

You say Democracy is what we are fighting for; Democracy, its blessings of freedom and liberty, the pursuit of happiness and livelihood, tolerance, justice and against unjustified persecution.

We wonder, are we blessed with the blessings of Democracy at home? Do we have homes, liberty, freedom and Justice? Are we not supposed to be enjoying those sacred

blessings and privileges as free citizens before we are to enter the armed forces?

The malignant growth that is cancer, unseen and unfelt at first, can if it remains unchecked long enough, ruin and destroy the lives of men, and in a larger sense nations too. Likewise, the violent propoganda of race hatred and race baiting now being so glibly expounded by these self-styled super-patriots can warm and poison the minds of the uninformed and unthinking.

Sorry, I've rambled at will. Frank, I was wondering if you have forgotten Patrick Henry's "Give me liberty or give me death" speech. Good thing you didn't think of it while you were in the guardhouse because you might have taken it literally and walked out, and, thus, be shot at by the Military Police on duty. I guess the moral of the barbed wire fences and guardhouse, the MP and your stroll, is that you are not a free man. In short, you'll be a free man--but dead.

Please tell all our friends that we are all well and in high spirits. Give them all our best regards.

Stick with your good work and do it to the best of your ability. Sixteen dollars a month pay should not be what you are working for. Satisfaction comes from the knowledge that you have given your best to your work.

Sincerely,

(George Ishikawa.)

LAWSON INADA

The JACL answered George Ishikawa's letter in the Pacific Citizen of May 20, 1944:

DWIGHT CHUMAN

(reads)

... a final effort should be made to deter this group from proceeding with an action which can result only in permanently stigmatizing them as draft dodgers. The road they are taking leads only to final ostracism from American society.

Japanese American soldiers...have already proven their loyalty and devotion to America on the beaches of Salerno--and wherever American troops are fighting. Any act at home which would detract from that proud record, whatever the motivations for that act, is a disservice to those Japanese Americans who have already contributed in blood.

#

LAWSON INADA

Guntaro Kubota was the only Issei member of Fair Play Committee. Frank Emi and others warned him his involvement with the draft resistance could result in charges of espionage or sabotage as, by law, he was an "enemy alien" and barred from US citizenship. As a spy or saboteur he would face the sentence of death. Still, Kubota openly stayed a part of the resistance,

translating bulletins into Japanese and writing appeals for Issei support.

Guntaro Kubota's daughter, Grace Ybarra, was one year old when she entered Heart Mountain camp, and is now a San Jose attorney.

GRACEYBARRA

(Reads)

Appeal to Issei

Hope of your Cooperation for the Benefit of
The Japanese Race

Liberty or Death! Of one of these we have a choice. In the present hour situation we do not hesitate to take death, but after acquiring the liberty we will die. That is the spirit of the Japanese race. Guarantee of freedom is the privilege which is given to us, but do we the Nisei enjoy the same privileges and freedom as the other American citizens have? No, in the hour at hand we are denied these privileges. Should we then, on the other hand, fulfill those obligations that are asked of us?

Q. What and by what plan are we the Japanese Nisei assigned to the Army.

A. We should be assigned according to the instruction of the Army, but after training none of us Nisei are assigned other than to the 100th Battalion or the 442nd.

Q. Can we the Nisei serve in the Navy, the Marines, the air forces or the armored forces?

A. we are assigned only to the army, but we are drafted as other Americans, we should be allowed to serve in any of the branches of the army.

The newspaper report of Sgt. Kuroki, who made a brilliant and meritorious account of the battle front of Europe is full of insults and damaging statements. Even in an emergency like this, the anti-Japanese movements, like the land problems in the state of Colorado, take place. We cannot enjoy any of the privileges guaranteed by law.

Stand up nisei. Fight for the claim of the true right. Our future is remote. We have to march on as free American citizens but we haven't much power intellectually or economically. We hope the Issei will help us.

#

LAWSON

Guntaro Kubota was a Zen man. He taught the Japanese language to Nisei after school, in the wooden Japanese community center in Santa Clara. Gloria Kasano was one of his students. They married. He became a farmer. What kind of farmer was he?

GLORIA KUBOTA

He was a terrible farmer.

(ad lib brief of Guntaro Kubota's life and beliefs)

I was pregnant with Gordon. If our baby was a boy, Guntaro said to name him Gordon, after

Gordon Hirabayashi. Guntaro respected what Gordon Hirabayashi did.

I typed bulletins for the Fair Play Committee.

Once someone in the FPC came through the laundry room and hid some papers at the bottom of my basket of ironing.

The FBI came in looking for evidence and started a conversation with me as I was ironing the clothes from the basket. I thought he would never leave, and I would reach the bottom of the basket then what...?

Ten days after Guntaro was arrested Gordon was born.

LAWSON

The question of clarification of the Nisei's citizenship status was tied to what the Fair Play Committee called "the pauperization" of the Japanese Americans.

Only citizens could own and lease land.

The Issei were barred by state law from owning or leasing land. The land they did own and lease was bought and leased in the names of their American born children.

For the Issei, the evacuation and internment raised the question of their legacy to the Nisei.

If the camps were constitutional were the Nisei US citizens?

If, like their Issei parents, the Nisei were now barred from US citizenship, then all the land bought and leased in the names of their Nisei children was gone along with their citizenship, and there was no legacy.

Issei like Uhachi Tamesa of Seattle, and Katsusaburo Kawahara of San Jose, let their sons --Minoru Tamesa, and Tom Kawahara, -- know that they were ready and willing to lend financial support to an effort to clarify the citizenship status of the Nisei. It literally meant: the farm; the home; the future.

Tell us the story behind the uniformly short haircuts.

MITS , and DAVE,(*ad lib*)

I think it was our idea to get our hair cut the same.

Menin our attorney told us not to stand up when the judge called our names for the federal marshals to identify us. Menin said it was up to the Federal Marshals to identify us, not for us to identify ourselves.

The judge was getting angry when we wouldn't stand up when he marshal called our names. Finally Menin, told us, "Okay, Boys, stand up and identify yourselves," we didn't do it.

LAWSON

Did your attorney, Menin, serve you well, stay awake and on the case?

MITS, and DAVE

(Ad lib story of Sackett or Watts falling asleep and falling over backward in his chair while court was in session.)

#3 16:50

#8-
16:50

TAPES
4

DWIGHT CHUMAN

In jail, awaiting trial the resisters found themselves eating wild game. Moose, deer, tule elk. The jail provided the groceries and the resisters did their own cooking. Not all the resisters enjoyed the rich diet. We recently found a poem among the camp papers of James Kado a Heart Mountain resister. The poem was written Eddie Yanagisako and Kenroku Sumida. James Kado kept a handmade copy with him in jail. Violet deCristoforo has translated the poem from the Japanese.

LAWSON INADA

(reads)

Song of Cheyenne

Aloha, Cheyenne--inside the cage
Finally, seven men are living here,
Whiskers are shaggy--
Who has the longest?

Aloha, Laramie County, Wyoming.
Eight o'clock in the morning. --at night,
rumbling,
Poker games and gambling Hana cards.
Before sleeping--foolish talk.

Aloha, Heart Mountain. I long for you.
Don't know when I'll be back. --
Pork sausage from messhall.
Caused diarrhea-- running...

Aloha, Heart Mountain, I love thy sky..

#

LAWSON

Did Minoru Yasui or Joe Grant Masaoka visit with either of you?

~~MITS and DAVE~~ *JOSH - 16:57*

(ad lib answer)

Yasui and Masaoka talked to three resisters each.

Yasui told ----- in Federal penitentiary the convicts would hold a kangaroo court and beat them with 2x 4's and torture them.

One of the guys Yasui talked to had a bleeding ulcer. The rich food in jail was killing him. Yasui told him he could get out of jail and into a hospital and not have to do any more jail if he quit the resistance and agreed to appear for his pre-induction physical where he'd be a sure 4-F because of his ulcer, he was tempted, but to get all that he would have to testify against the leaders of the resistance at their trial. He refused .

They came to talk us into becoming witnesses against the leaders of the Fair Play Committee and failed.

We were surprised at Yasui. He had violated the curfew, like Gordon Hirabayashi. We thought we were doing exactly what he did.

LAWSON INADA

Yasui editorialized against all resistance in the *Pacific Citizen* in March of 1944:

He wrote:

DWIGHT CHUMAN

"It is this writer's firm belief that in this particular situation we Nisei must demonstrate our willingness to assume fully and patriotically the obligations of citizenship

before we are in any position to petition for a redress of grievances."

LAWSON INADA

In his secret report to the FBI about his visit to the resisters in jail, Yasui wrote:

"Those who might want to change their minds, convinced of the error of their ways, would probably not be tolerated. For these separate and individual cells would allow considerable introspection and self-analysis. It would supplant individual decision for group pressure."

James Omura, what do you think of Min Yasui's recommendation to the FBI?

JAMES OMURA

I interpret this as double talk for suggesting the resisters be put into solitary confinement to break their will.

LAWSON INADA

What happened to you after your acquittal, Jimmie?

JAMES OMURA

(ad lib answer)

LAWSON INADA

In hard times, in camp, in a time before the war there was always one pillar of the community who lent his support to the resisters and the boys who would become resisters, and the men who had been resisters.

Kozie Sakai, grocer, restaurateur, singer of *shigin*, too old to be drafted in 1944, never arrested, is a part of the resisters' story.

Kozie Sakai, used to operate the Sakai Store, in Mountain View. He used to drive a specially built Ford truck from farm to farm, delivering the rice in hundred pound and fifty pound sacks, the bolts of cloth, groceries and gossip to the families and free candy for the kids.

Before the resisters were sent on to their assigned federal penitentiaries to serve their sentences, Kozie Sakai traveled on passes between Cheyenne and camp, exchanging news, and running errands.

YOSH KUROMIYA and Mits Koshiyama were among the resisters Kozie visited.

After each visit to the boys in Cheyenne, Kozie would write Frank Emi a letter.

YOSHKUROMIYA

(Reads)

Evening of July fifth.

Cowboy State.

Dear Frank,

Got to see the boys several minutes yesterday after noon in their downstairs cells. All are fine and impatiently waiting for their transfer to McNeils farm .

Imagine living in this congested condition for nearly a month. Folks and families should be very gratified that they are going to be moved soon. I know I shall be for the sake of the boys.

It's indescribable, as I've stated before. That is-- there's nothing to describe--

They actually brush each other's elbows in getting their exercise walk.

During these visits I collect all the boys' letters on a sly and mail them out.

Anything they need I jot it down and bring the following day. The boys worry about their folks who unnecessarily worry about them. So please, stress this point, Frank. It would be a good idea if folks back in camp would write an encouraging letter to their boy or husband the next time.

The boys are leaving here about nine o'clock Saturday night on a Union Pacific route that goes through Rawlins & Laramie. Through Pocatello, Oregon and Washington then hits North at some terminal for its destination.

The group that left for Leavenworth (Good heavens! they're there now.) were caged in, three guards including the driver on duty, and the bus had three or four nickel plated bars running on the outside windows. It was of grey color, with a wording U.S. Department of Justice written on the doors. There were several boxes on the inside rack presumably lunches for the boys, It even had a toilet inside the bus. But the bus itself wasn't so very conspicuous any passer by at a glance would just take it for some special car.

MITSKOSHIYAMA

Today I had an interesting and amusing incident.

I went into an ordinary corner hardware (half a block way from jail) and inquired for some ropes. He didn't have any, so I asked if I may buy some empty cartons, if he had any at all to spare.

He would not accept any money but asked what I was going to use it for.

I explained and said it was to pack the boys' belongings, who was to leave for jail soon.

He understood and then the fun began. He asked my name and where I was from. He said he was a German born in Austria. And that he was interrogated too of being a Nazi suspect. He told me he was proud to be a Nazi and gave me a Hitler salute (jokingly) saying "banzai!"

He didn't like Churchill and said so, in fact he didn't give a darn for a lot of these Americans.

But he sure had sympathy for us and said we were being mistreated. I didn't say very much and finally thanked him for the boxes and bid him goodbye. He opened the side door for me and gave his salute again, saying "Banzai!"

I went to his store again about four, five hours later. He remembered my name, saying, "Sakai, we'll know one of these days."

Goodbye,

Kozie.

Postmarked: Cheyenne, Wyoming. July 5th.
11:30PM 1944.

(Ad lib)

Lawson Inada mentioned Kozie Sakai driving around to the Japanese farms delivering the rice, and giving free candy to the kids.

Well, I was one of those kids.

LAWSON INADA

After the interrogation of Frank Emi we will take all the time we need for questions from audience. And after that, we'll have something to eat. Right now, I suggest a little stretch before Guy Robertson meets Frank Emi.

LAWSON INADA leads AUDIENCE in a STRETCH. FRANK ABE and volunteer help GRACE YBARRA and GRANT EMI out of their places on the panel to their place for the interrogation.

LAWSON INADA

Frank Emi went through three significant interrogations. One after answering the "loyalty oath" questions 27 and 28 other than "Yes" "Yes." One following his attempt, with Minoru Tamesa to get arrested for walking out of camp without a pass and create a test case.

It was at the third interrogation, the Hearing Board for Leave Clearance, rehearing of April 4, 1944, that the Project Director, Guy Robertson tried to break Frank Emi as a leader of the Fair Play Committee.

Grace Ybarra will read the parts of both Guy Robertson, the Project Director and W.J. Carroll, the Relocations Officer.

Guy Robertson, according the Heart Mountain *Sentinel* "made his reputation as manager of the Peabody coal mines of Hudson and Grand Trunk Lodge and Transportation Company of Jackson Hole, Wyoming." He was born in Missouri, was 52 years old in 1942, and, according to the *Sentinel* , "He is constantly studying methods to improve and make the home more pleasant and habitable for Heart Mountain residents."

The interrogation, or "rehearing" took place in the Project Director's office.

Mr. Grant Emi will read the part of his father, Frank Emi from a transcript of the actual interrogation.

Perhaps, re-enacting the interrogation we can get a sense of the pressures working against the resisters in Heart Mountain, and something of the qualities in Frank Emi, that made him the moral center of the Fair Play Committee.

GRANT EMI takes seat in the center of the "room" facing the audience.

LAWSON INADA

In the actual interrogation, Robertson and Carroll both stayed seated. Robertson behind his desk, and Carroll in a chair to Robertson's right.

GRACE YBARRA takes a standing position behind Grant Emi and begins.

ROBERTSON

We have your leave clearance hearing back, Frank, and we want to question you some more.

EMI

Why wasn't it passed on the last time?

ROBERTSON

I think the trouble this time may be your part in the Fair Play Committee...You have had one leave clearance hearing before, haven't you, Frank?

EMI

I had two, one just before the move to Tule Lake and then another one.

ROBERTSON

You had a segregation hearing and then a leave clearance hearing. The first was with Mr. Lechliter, which was a very short interview. Going back to question 27 and 28, I believe in the original registration you qualified your answers to both questions then later, in the second interview with Mr. Carroll, you indicated you would like to answer question 28 with an unqualified "yes."

EMI

Yes.

ROBERTSON

Would you want to leave Question 27 with the same qualification you had before?

EMI

Yes.

ROBERTSON

What is your attitude at the present time, Frank, about those questions? Do you want to make any change in your answers now or leave them as they are?

EMI

As far as Question 28 there is no change, that I think.

ROBERTSON

That will be "Yes"?

EMI

Yes.

ROBERTSON

What about Question 27?

EMI

On 27, here's something that I would like to make clear, that I am not opposed to going into the army or anything like that. I think for any American that is the duty, and just as soon as I get my clarification of status and my rights restored I will be willing to go. I would like to ask that those things be made clear before I go out and risk my life for the country. One thing about us, when we go off to war we don't figure on coming back, we figure we sacrifice our life for the country, that is a heritage. If we are going to do that I like to leave something behind before I leave.

CARROLL

What do you mean "that is a heritage"?

EMI

When you go off to war you are considered more or less a member of the family, you are supposed to be fighting for the government. In this case my country is the United States. That is the way we look at it.

ROBERTSON

Let me see if I can get something over to you. I think your thoughts are a little bit wrong. It may be a fact that the Japanese government exacts that from all its people. I believe you

will find that the United States government exacts only a willingness to do that. The United States government doesn't want a dead soldier, they want a live fighting man. I don't think you will find anything in the principles of the United States government that requires their soldiers to needlessly sacrifice themselves

EMI

I don't mean going and sacrificing yourself, but you go with the idea that you may not come back.

ROBERTSON

I think that is wrong, Frank; of course, when you go on to battle in armed formation you have to concede that there is a big possibility that you won't come back.

EMI

That is what I mean.

ROBERTSON

On the other hand the percentage is very small. The boys in the field who come back are a large majority of the boys who went, so in going the army of the United States, you need not be a fatalist that you won't come back, but if you do join the army you will do your best to fight the enemy and come out alive.

EMI

I know there is some percentage in going and not coming back, but if you can come back it is so much the better.

ROBERTSON

In the Fair Play Committee you boys have come out with the statement that you hereby resolve not to appear for pre-induction

physical or for induction if called. There is a law in our statute books which says that every citizen, unless excused for some special reason, is subject to the call when he is needed in the army, either in time of peace or in time of war. Now that is the law on the books.

EMI

Yes.

ROBERTSTON

Don't you think you should obey the law implicitly?

EMI

We are not saying that we will not go to the army or anything, Mr. Robertson. Like myself, I would go any time if I was out in California or if I was given the rights of any other American citizen, and I still say that I am not saying I won't go as soon as I am treated as an American citizen should be treated. I would be glad to go.

ROBERTSON

I think that is right; I think also you are making a mistake in that you are trying to bargain with the government of the United States on a law that is on the statute books, and that just can't be done. Now if you want to have that law repealed you shouldn't disobey the law in order to bring it up for repeal, there are plenty of ways to bring the case up without deliberately breaking the law of the United States. Don't you think it would be better for you to obey all laws of the United States and at the same time to work diligently to obtain that clarification of citizenship, or whatever you call it?

EMI

That is the best way, yes. At the same time, up to now we have been suppressed in our rights and privileges of American citizenship because the government said so, and we have more or less complied with that order; but, that order, I believe is unconstitutional. Of course, that is before the Supreme Court now. I believe that order to comply with the Presidential Proclamation was unconstitutional because the Constitution of the United States states that citizens shall not be deprived of life, liberty or property without due process of law. In my position, I do not know just what my status is as a citizen. I do not know whether I am a full fledged citizen, they say I am, but actual factors are a little bit different, and I don't know whether I am in the same status as the Indians, aren't they wards of the government, Mr. Carroll?

CARROLL

I don't know that they are, they are on reservations.

EMI

Yes.

ROBERTSON

They are considered wards of the government, but they are free Indians.

EMI

Not that I want to be a ward of the government, but that is just what I am not clear on. You told me last Friday as long as we are here, we have no constitutional rights if the WRA denies us those rights, but you said we could legally contest that in the courts.

ROBERTSON

I told you also that you must obey the laws as they are, that there isn't any one who can't contest the legality of the law. At the same time, there is no one who can give any one the right to disobey those laws as long as they are on the books.

EMI

As I was saying, I was always under the impression in order to contest any law it would have to be broken and then processed through the courts and final decision is up to the authorities.

ROBERTSON

That is one way of contesting a law, but it has already been contested by more than one, twenty-five or thirty or three hundred people wouldn't have any more effect than one. There is a way to contest a law without breaking the law as I told you the other day.

EMI

Of course that part is up to the individual which way he would like to contest it.

ROBERTSON

That part is up to the individual, but in this hearing I am trying to determine whether you want to be an American, a Japanese, or something else. I am also trying to determine whether you are the kind of a fellow who will obey the laws of the United States Government. We have a leave clearance procedure, and when we send some one out we are supposed to send out only law abiding citizens. Now this leave clearance hearing today is for me to determine how much respect you have for the laws of the United

States regardless of what has happened or what position you are in. If you take the position of determining whether the laws are unconstitutional and whether you are going to evade the law if you feel it is unjust to you, then you might also take it upon yourself to have the same attitude outside regarding the laws of the country.

EMI

Well, coming back to the first statement, whether I want to be Japanese or not. I don't know how the other people are, but I don't think I have ever mentioned or indicated in even one way, where my loyalty to this country is concerned, I don't think I have indicated that I have any sympathy or anything for Japan because I don't know how it is.

This is where I was born and educated and all my friends were all Americans, Caucasians, and in my business it was dealing with Caucasians, and I, at least I believe, I think I am a real American.

That is the way I was brought up to think and I think if any loyal American were placed in the position that I was that he would as an American and Human, I think he would think like I did on this particular question.

I don't know, you are not in the position where you may not be able to think like me or any other American because you have certain duties to perform. That can't be helped.

ROBERTSON

Frank, don't misunderstand me. As far as my sympathy for your position is concerned, I have a lot.

I can see where you have the feeling you have. I think there is a difference between you and me that I will have to obey the laws as they are written and I will have to take the channels outlined to me if I think those laws are unjust in order to correct those unjust laws. I don't believe there is any one who would regard you as Japanese. In the conversations I have had with you and knowing about you, I don't think you would get along in Japan, but, unfortunately in the situation here we have to have assurance also that you are a good, law abiding American.

I don't know what questions to ask to bring it out. I imagine you told me in your conversation just about how you feel about it, but I would like to persuade you that you are making a mistake in taking the initial step in breaking the law and that it is going to be hard for the people outside to understand why you break the law, because they are not familiar with your situation.

It is the government of the majority and it seems to me that the first obligation you have to yourself would be to protect yourself by obeying the laws, that you also have the obligation to yourself of trying to correct an injustice.

I wouldn't for a minute suggest to you that if you feel you have been unfairly dealt with that you should pass it by without protesting, that is also an American privilege. Do you think the activities of the Fair Play Committee have been subversive?

EMI

I don't think so, Mr. Robertson.

ROBERTSON

Do you think you have influenced other people to not answer the Selective Service call?

EMI

No, I don't think so because at some of the meetings I have attended they have always come out and stated that if the person wants to get into the Fair Play Committee just to evade the draft we don't want them.

They also stated many times at the meetings those people who had intentions of joining the committee just to evade the draft were not welcome. As you know, it is up to the individual.

ROBERTSON

Let me ask you, Frank, what do you think you can do by refusing to appear for Selective Service to clarify your situation. What, in other words, have you in mind, what is your aim?

EMI

I just wonder if it won't bring more attention to the fact that we, as American citizens in here and subject to the army, as such, that it would call the public's attention to the fact

that we haven't rights of citizens and they would try to remedy that. Of course, they will have to see both sides of the question, if they only see that we are violating the Selective Service Act naturally there isn't any one that would be in sympathy with us, but in a court that is where I think a person has the right to present both sides of the picture.

ROBERTSON

If you go to court you are going to be tried on one charge and that charge will be that you refused to answer the Selective Service call.

Now the judge trying you on that, it has to be yes or no, did you refuse or didn't you refuse. It isn't why you refused or under what conditions you refused. Are you guilty or aren't you guilty. The charge is there. The judge is going to pass sentence on that one question. He will have no authority to waive that law. He has to judge on the law as the law is written. After the sentence is passed and it is guilty you will probably be treated the same as the boys down at Poston who contested the law. There was nothing that ever came out about it and they went into the court and the court sentenced them to three years in the penitentiary. What will you do if get into the penitentiary?

EMI

You have no rights.

ROBERTSON

That is what I am trying to get over to you. What I am trying to say, Frank, is this isn't the time and isn't the way.

I think you have four strikes against you when you start out in that manner to fight public sentiment in time of war. You have everything to against you to start with. I think some other manner would be much better. This leave clearance hearing I called you for seems to have turned out to be a lecture, I guess.

EMI

Maybe I need it.

ROBERTSON

Don't think there are other means of establishing your liberties as a citizen other than violating the Selective Service Act.

EMI

Well, I don't know, I may. I suppose there are. I suppose such steps have been taken in cases pending.

ROBERTSON

Have you taken any steps besides this one?

EMI

I have written to Mr. Myer to see if I could get out, but I don't know whether you would call that a step or not.

CARROLL

Prior to the time of registration did you take any steps to determine what your status was?

EMI

I don't think I had much chance. We were, without being asked, put in here.

CARROLL

Suppose you were going to be called for the draft, what action would you take to determine your status?

EMI

I don't know.

CARROLL

Would you go out and kill a man to be put in court to find out if you are a citizen?

EMI

I certainly wouldn't.

CARROLL

That is what you are doing when you violate the Selective Service Act. You are breaking the law to determine whether or not you are a citizen.

EMI

Here's something else, I was looking at it personally.

Suppose my father, or my boss, or any one over me was making me work and I am very willing to work, but I haven't had food for so many days I am hungry, I can't move, I can't work. I am willing to work but please feed me, give me some food and I can work. I just wonder if my position, as regards my rights, isn't illustrated something like that.

ROBERTSON

I think that is an exaggerated case, but I think this, that fellow who couldn't work because he needed food, he could quit that man and go some place else to work for some one who will give him food, but, in the case of joining the United States Army, you can't just tip your hat to the Selective Service man and say, "Thank you, but I don't care to join."

The Selective Service Act is an act which no one is supposed to dodge, while the man

working for some one else, he can quit. You can't quit the army.

EMI

All I can say is that as far as the army is concerned, I have never said I won't go, but I believe that under the circumstances, I consider these acts unconstitutional acts which were precipitated upon me. I believe it is more my duty to try to uphold those supreme laws of the United States which is my the Constitution, and you could say that you ae fighting for democracy abroad, but if you lose democracy at home what have you won?

ROBERTSON

Of course, Frank, when you get into that you get into something that is fundamental. You say that you will answer question 28 "yes", that you are loyal to the United States. You are loyal to the principles of the democratic government of the United States. At the present time we are fighting for the existence of the Constitution of the our democratic form of government, and we finally believe that unless every effort is made and unless people are willing to sacrifice and work there is a big possibily that we will be defeated by the Japanese government

If we are defeated by the Japanese we will have to live under the rule of the Japanese, and of course, the American people don't want to do that, and at a time when the Nation is in grave danger you can't say, "I'll fight for you

if you will give me this, or I'll fight for you if you will do that."

You will have to say that, "I will fight for you and I hope that by fighting for you I am preserving the principles for which I am fighting."

If we all take the attitude you have at a time like this, if we all thought we had wrongs that we thought should be righted before we fight for our country, it would be only a short time before we wouldn't have a country.

EMI

That is true, the way you say it, but at the same time you must figure that any person would say or think like I do in my position, if they were treated as an alien and put in camps with aliens, with no rights, not even as much rights as enemy aliens of other Axis groups.

Of course, I think it is widely acknowledged now that it was a mistake, more or less hysteria at the time, but still it is an accomplished fact and I believe that some remedy or rectification of such a great wrong is the proper thing the government should do. That is what I think.

CARROLL

What are the requirements to be a member of the Fair Play Committee?

EMI

I don't know of any specific requirements. You have to be a citizen and consider yourself a loyal citizen to be a member

CARROLL

Is their interpretation of loyal American citizen mean that they should not answer their draft call?

EMI

No, I think every loyal American citizen should protect and uphold the Constitution and the Bill of Rights.

CARROLL

Are you a member of the Fair Play Committee?

EMI

Yes.

CARROLL

And following that you think you are a loyal citizen? What would you do if you were notified to report for your call to the army tomorrow?

EMI

I don't know. Many things can happen between now and tomorrow. I may think one thing today and one thing tomorrow.

CARROLL

What if I handed you your draft notice right now?

EMI

Right now I think you know the way I have been thinking.

CARROLL

Would you go or wouldn't you go?

EMI

I would go just as soon as my status and rights are clarified.

CARROLL

How can you declare you are a loyal American citizen, then?

EMI

Taking the stand I just told you, I believe that by doing that I am helping toward the rectification of the unconstitutional acts the government has committed.

CARROLL

You already have a test case in court now. How can you further help it?

EMI

That is my individual feeling. I don't feel that it should be left to someone else.

CARROLL

Do you agree that it takes one case to test a law?

EMI

It may take one or many.

CARROLL

Will you agree that it takes just one.

EMI

I think there are cases where one wouldn't.

ROBERTSON

I think you will find one case is enough. What is your attitude going to be if these things are not clarified for you?

EMI

You mean in regard to the draft?

ROBERTSON

In regard to your future and your loyalty. Suppose that this thing goes through and isn't clarified for you?

EMI

You mean the Supreme Court, that the evacuation was constitutional?

ROBERTSON

Yes.

EMI

I would abide by their decision. If the constitution is interpreted that way by the Supreme Court I think the citizens should back up the decision if the Supreme Court says so.

ROBERTSON

Let me ask you a few straight questions, then as far as I am concerned this meeting is closed. Do you consider yourself a loyal American citizen?

EMI

Yes.

ROBERTSON

Are you willing to defend the United States against any foreign power?

EMI

Yes.

ROBERTSON

I don't think I have anything further. Have you anything, Joe?

CARROLL

No, I don't believe I have.

LAWSON INADA

End of Interrogation.

What do you think, Grant? How did Frank Emi do? Did he break?

GRANT EMI

(ad lib answer)

LAWSON INADA

And you Grace Ybarra, what do you think?

GRACE YBARRA

(ad lib answer)

LAWSON INADA

Okamoto, Nakadate, Wakaye, Emi, Tamesa and Horino were convicted and sentenced to four years in Leavenworth. Their convictions were reversed on appeal in 1946.

The 85 Heart Mountain resisters, along with all 315 who had resisted the draft from all the camps, were pardoned on Christmas Eve of 1947 by Presidential Proclamation.

The Amnesty Board's recommendation for pardon sounds very much like a Fair Play Committee bulletin.

DWIGHT CHUMAN

(Reads)

Closely analogous to conscientious objectors and yet not within the fair interpretation of the phrase, were a smaller, though not inconsequential number of American citizens of Japanese ancestry, who were removed in the early stages of the war from their homes in defense coastal areas and placed in war relocation centers.

Prior to their removal from their homes they had been law abiding and loyal citizens. They deeply resent classification as undesirables. Most of them remained loyal to the United States and indicated a desire to remain in this country and to fight in its defense, provided their rights of citizenship were recognized. For these, we have recommended pardons, in the belief that they will justify our confidence in their loyalty.

LAWSONINADA

On an issue of constitutional rights, to have your conviction reversed on appeal, to be granted a Presidential pardon that recognizes your causes--is to win. But the JACL did not see it that way. Instead they made good on their prediction of social ostracism.

Which brings us to today. February 21, 1993 in Little Tokyo, Los Angeles, California.

We have just skimmed the surface of this story. There is the story of the 108 members of the Fair Play Committee who were neither drafted nor arrested but counted themselves members of the resistance. Men like Art Emi, who maintained correspondence with the lawyers, and talked to the resisters' parents in Heart Mountain, while his brother Frank, the leaders and the resisters were awaiting trial and in jail. Art is here with us this evening. Would Mr. Arthur Emi, please stand?

LAWSON stands and hands markers to resisters on the panel. They stand and go to blowup and start signing it.

LAWSONINADA

Mits Koshiyama, YOSH KUROMIYA where are you in this picture?

MIT S KOSHIYAMA and YOSH KUROMIYA stand and find themselves in the photo mural.

LAWSONINADA

(Ad lib with Mits and Dave)

Mr. Tom Oki, would you like to find yourself and sign the picture? Mr. Tom Kado, Mr. Yosh Kuromiya I have markers here for you to sign.

LAWSON INADA

As you feel like it, in the course of the rest of the evening, the former resisters are invited to step down and sign.

We are now open for questions. Raise your hands. I'll bring the mike to you.

(Ad lib- Question and Answer)

(Ad lib- let's eat)