

Grants from the Foundation:

\$32,500 to University of California

SALVAGING SOME OF THE SPOILAGE

One of the darkest blots on the American Bill of Rights is the treatment meted out to the Japanese-American minority during the war of 1941-1945. It mattered not that 80,000 of the 127,000 were citizens; all alike were uprooted from their homes and means of livelihood and herded behind barbed wire in guarded stockades. The dominating reason for these mass deportations and imprisonments was the doctrine of inherited racial enmity, so declared by Major General John L. DeWitt in ordering the segregation. "Once a Jap always a Jap" was the Nazi-like dogma which the military invoked to justify its abridgment of civil rights.

Recognizing the un-American character of what was taking place, and the need for preserving an accurate and comprehensive record of the proceedings, a group at the University of California immediately undertook a study of the movement and its consequences. Dorothy Swaine Thomas, professor of rural sociology, was made director of the project, and The Rockefeller Foundation voted \$32,500 to supplement funds provided by the University. The study, which was begun in 1942 and continued until the end of the war, resulted in the accumulation of an extraordinary file of first-hand material: diaries of prisoners, records of interviews with them, detailed accounts of camp protests and other episodes, minutes of group meetings, manifestoes, petitions to the authorities, and personal letters. These documents fill fifteen large filing cabinets in the sociological archives of the University, and at the conclusion of the project it was predicted that they would

furnish basic material for future books and papers on racial discrimination, wartime hysteria, forced migrations, and the attitudes, actions, and adjustments evoked by these social forces. The first book to appear was The Spoilage, by Miss Thomas and Richard S. Nishimoto, an official report of what happened at the Tule Lake Relocation Center, published by the University of California Press in 1947. No one thought to suggest that the study might be used by the courts to right some of the wrongs inflicted by the tyrannous discrimination. But this is exactly what has taken place.

In 1948, three Japanese-American women, Miye Mae Murakami, Tsutako Sumi, and Mutsu Shimizu, applied to the State Department for passports. The applications were denied for the reason that during their detention at the Tule Lake Center in 1944 the women had renounced their United States citizenship. They explained that they were forced to the renunciations by pro-Japanese pressure groups within the Tule Lake camp and the fear of racial prejudice and mistreatment by Caucasians if they left the camp. The State Department rejected these reasons as inadmissible, whereupon the three women began an action in the United States District Court, Los Angeles, to establish their rights. Their petition was upheld, but the State Department appealed to the Circuit Court of Appeals in San Francisco to upset the verdict. Instead of doing so, the opinion of the higher court, written by Chief Judge William Denman, completely sustained the action of the district court and bitterly denounced Major General DeWitt for his treatment of the Japanese Americans and the words with which he justified it.

One factor that helped the three women in their petition for justice was the on-the-spot and at-the-time material which was collected by the University of California study. They were able to show from the records,

especially from the published story of Tule Lake as it was narrated and reviewed in The Spoilage, just what was going on behind the barbed wire of Tule Lake and the expressed attitude of the U. S. authorities which had fed these fires of fear, resentment, and rebellion. Again and again Judge Denman quoted The Spoilage to show that "the purported renunciation of the plaintiffs was not as a result of their free and intelligent choice but rather because of mental fear, intimidation, and coercions depriving them of the free exercise of their will."

For example, during 1944, The Spoilage records, the following rumors were circulating via the Tule Lake grapevine:

"Five Japanese were killed at Fresno. People are saying that some were killed around Stockton."

"California is the last place I'd want to go back to, with all I've been reading. They say the Army will back us up. But that's only against mob violence, and not against what an individual might do."

"What do they want us to do? Go back to California and get filled full of lead? I'm going to sit here and watch."

"Everybody told me I must renounce my citizenship of the United States, otherwise I will be forced to go outside the camp and be murdered. Believe me, Sir, honest, I was scared and applied for renouncement."

The three women were incarcerated in rabid pro-Japanese sections of Tule Lake and lived in an atmosphere of terrorism stirred up by gangsters and hoodlums of the pro-Japanese organizations. Each in turn was threatened with death unless she renounced, and the assaults, batteries, and stabbings which went on almost daily added force to the threats. Caught in a whirlpool of mass anxiety, pressures, ridicules, and violence, the three women decided that abandonment of their citizenship was the best way out of a relentless situation for whose relief they could apparently expect no help from the outside.

Since these facts were clearly proved, and since "the benefits of citizenship can be renounced or waived only as a result of free and intelligent choice," the court ruled that "said purported renunciations are void and of no force or effect." The judgment therefore ordered the Secretary of State to treat the appellees as citizens of the United States.

Following publication of the decision, Attorney General J. Howard McGrath announced that he would not ask the Supreme Court for a review, but would accept the action as applying not only to the three women but to "all future cases of this kind." Since there are some 4,000 Japanese Americans who renounced their citizenship under similar circumstances, Judge Denman's opinion will have far-reaching repercussions.

Dorothy Thomas and those who worked with her have reason to feel gratified by this striking demonstration of the influence of their scholarly findings. "It is not often," remarked Director Joseph H. Willits of the Social Sciences, "that such prompt and direct evidence is forthcoming of the use made of Rockefeller Foundation-financed studies in illuminating an important judicial decision."