

A CASCADE OF FAILURES: THE U.S. ARMY AND  
THE JAPANESE-AMERICAN INTERNMENT DECISION IN WORLD WAR II

by

PAUL A. THOMSEN

B.A., Brooklyn College, 1995

M.A., Brooklyn College, 1996

AN ABSTRACT OF A DISSERTATION

submitted in partial fulfillment of the requirements for the degree

DOCTOR OF PHILOSOPHY

Department of History  
College of Arts and Sciences

KANSAS STATE UNIVERSITY  
Manhattan, Kansas

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## **Abstract**

The Second World War internment of the West Coast Issei and Nisei remains a tragic moment in American history. It has long been viewed by historians as a singular act of mass social and political pressure to remove a racially constructed social group from the area, but it was carried out by the United States Army under the direction of the War Department. This dissertation studies the formation of the military policy that led to the Second World War internment of Japanese-Americans and the transformation of a reluctant American Army into an agent of a xenophobic West Coast civilian populace through external pressure, poor planning, and false assumptions. This study focuses on several aspects of civil-military relations associated with the Second World War internment of the Issei and Nisei. This includes the history of militancy and mob rule in the West Coast urban landscape and the borders of civil-military relations on the West Coast as they applied to the region's xenophobic legislative government. Likewise, the relationship between the military and the militia, urban race relations, and the role of intelligence analysis play a central role in determining the distortion of facts, which shaped the American military's internment policy. Finally, the disconnects between the East and West Coast arms of the federal government and the Justice and War Departments play an equally pivotal role steering the military's response to the devolving state of affairs on the West Coast in the months following Pearl Harbor, resulting in the internment of over 110,000 Issei and Nisei in the following months.

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Approved by:

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Mark P. Parillo

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Paul A. Thomsen, 3/20/2013

Zone A, Sandy Disaster Area

The City of New York

The Colony of New Amsterdaam

## **Dedication**

This work is most affectionately dedicated to the three greatest professional influences on the path which led me to obtaining the hood. Two, Brian M. Thomsen and Hans L. Trefousse, were deprived by time and circumstances beyond our control from seeing this day. One, Dennis Showalter, has been and still remains my unswerving Grand Master-level guide in this quest and the one, which lies beyond. To them, I am and will remain eternally grateful.

## Introduction

The Second World War internment of the West Coast Issei (First Generation Japanese in America) and Nisei (Japanese-Americans) remains a tragic moment in American history. Long considered a social group separated from their Caucasian West Coast neighbors by race, in the early twentieth century they had been subjected to legal segregation, social isolation, limitations on economic growth, and many had been refused citizenship. In the war, they also became prisoners.

The internment has long been viewed by historians as a singular act of mass social and political pressure to remove a racially constructed social group from the area, but the actual removal was carried out by the United States Army under the direction of the War Department. It occurred while the nation was reeling from a two-front war with minimal resources and manpower against Japan, Germany, and Italy. During the opening months of the war, several military officers and civilian members of the Roosevelt Administration maintained that any mass evacuation of civilians would be a waste of precious resources.<sup>1</sup> Moreover, the military was neither administratively equipped nor legally sanctioned to carry out such a policy. Nevertheless, by the end of February, 1942, the American army of the Western Defense Command had removed over 110,000 citizens and resident aliens from their homes to the interior of the United States of America.

This dissertation studies the formation of the military policy that led to the Second World War internment of Japanese-Americans and the transformation of a reluctant American Army into an agent of a xenophobic West Coast civilian populace through external pressure, poor planning, and false assumptions. Held together by the overarching theme of racism on the West

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<sup>1</sup> "Californians Seek More Alien Curbs," *Los Angeles Times*, February 3, 1942, p. 6.

Coast, this study focuses on several aspects of civil-military relations associated with the Second World War internment of the Issei and Nisei. These include the history of militancy and mob rule in the West Coast urban landscape and the borders of civil-military relations on the West Coast as they applied to region's xenophobic legislative government. Likewise, the relationship between the military and the militia, urban race relations, and the role of intelligence analysis play a central role in determining distortion of facts, which shaped the American military's internment policy. Finally, the disconnects between the East and West Coast arms of the federal government and the Justice and War Departments play an equally pivotal role steering the military's response to the devolving state of affairs on the West Coast in the months following Pearl Harbor. Given the racial tensions permeating the West Coast's anti-Asian history, this synergy of prejudice and a cascade of failures in command created the War Department's and the United States Army's Second World War internment policy, imprisoning over 110,000 Issei and Nisei in the months following the Japanese attack on Pearl Harbor.

Journalists, scholars, and advocates for social justice have studied the origins of the internment since the early Cold War. In 1949, Morton Grodzins, a professor of political science, determined in the first comprehensive study of the subject that West Coast politicians and their landed farming supporters applied overwhelming political pressure to remove the resident Issei (First Generation Japanese) and Nisei (American-born children of resident Issei).<sup>2</sup> Later, race historians Jacobus tenBroek, Edward N. Barnhart and Floyd W. Matson expanded on Grodzins's work, arguing that a mixture of regional and national anti-Asian policies over a half-century had

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<sup>2</sup> Morton Grodzins, *Americans Betrayed: Politics and the Japanese Evacuation*, (Chicago: University of Chicago Press, 1949).

provided the framework for the Roosevelt Administration's internment decision.<sup>3</sup> Others, such as internment scholars Roger Daniels and Ronald Takaki, have further expanded on these studies, showing the systematic legal and cultural isolation and persecution of the resident Japanese and their children.<sup>4</sup> Most recently, Roosevelt Administration historian Greg Robinson in *By Order of the President* has demonstrated the effects of these forces on a racially biased presidency and the failings of the Roosevelt Administration's loose management system in the perpetration of the internment.<sup>5</sup> Still, apart from a politically charged work by political columnist Michelle Malkin written in the aftermath of 9/11 in support of the Patriot Act, there has been no study of the actual vehicles for these pressures and their unjust conclusions, the United States Army and the War Department.<sup>6</sup>

Much of the literature of the internment and period West Coast culture often portrayed the Western Defense Command (WDC) at the outbreak of war as uniform in thought, swift, certain, and robust.<sup>7</sup> On the contrary, as many modern scholars of the Second World War have found, the United States military was wholly unprepared and grossly ill-equipped to fight the Axis. Other scholars and some memoirists have claimed that WDC Commander U.S. Army Brigadier General John L. DeWitt on the West Coast constituted a direct and heavily influential,

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<sup>3</sup> Jacobus tenBroek, Edward N. Barnhart and Floyd W. Matson, *Prejudice, War and the Constitution: Causes and Consequences of the Evacuation of the Japanese Americans in World War II*. (Berkeley: University of California Press, 1970).

<sup>4</sup> Roger Daniels, *Prisoners Without Trial: Japanese Americans in World War II*, (New York: Hill and Wang, 2004); Ronald Takaki, *Strangers from a Different Shore: A History of Asian Americans*, (New York: Little Brown and Co., 1998).

<sup>5</sup> Greg Robinson, *By Order of the President: FDR and the Internment of Japanese Americans*, (Cambridge: Harvard University Press, 2001).

<sup>6</sup> Michelle Malkin, *In Defense of Internment: The Case for Racial Profiling in World War II and the War on Terror*, (New York: Regnery, 2004).

<sup>7</sup> Arthur Verge in "Daily Life in Wartime California" in Roger Lotchin, ed., *The Way We Really Were: The Golden State in the Second Great War*, (Chicago: University of Illinois, 2000), 15-21; Erica Harth, ed., *Last Witnesses: Reflections on the Wartime Internment of Japanese Americans*, (New York: Palgrave MacMillan, 2003), 4 and 109; Daniels, *Prisoners Without Trial*, 29-35; Ann Heinrichs, *The Japanese American Internment: Innocence, Guilt and Wartime Justice*, (Singapore: Marshall Cavendish Benchmark, 2011), 58; Roger Daniels and Sandra Taylor, *Japanese Americans: From Relocation to Redress*, (Seattle: University of Washington Press, 1991), 128.

force of political and social coercion on the Roosevelt Administration.<sup>8</sup> Decisively, the opposite was true. Many, including Congressional researchers during the Reagan Administration, have also erroneously concluded that the military was uniformly behind a mass removal of Issei and Nisei prior to Pearl Harbor. The development of the military policy that led to the internment is often portrayed as a simple, linear, and uncontested progression from adherence to West Coast civilian political will to mass armed arrest and internment. Given the constraints on the American military at the war's onset alone, this notion was inaccurate. The crafting of the unjust military policy was neither easy nor straight nor developed without resistance from substantial elements in both civilian and military circles. It was, however, in keeping with the nation's wartime climate as well as the region's own extremist and virulent anti-Asian bias.

In fact, the interment policy came about through the progression of two largely parallel running thematic issues, (1) the long simmering racial animosity between the West Coast's Caucasian populace and their neighbors of Japanese decent and (2) the military's attempt to protect the West Coast from enemy attack. Essentially, the military and, later federal government, became a vehicle for the West Coast's antipathy for Issei and Nisei in the opening months of the war. While the history of anti-Asian bias on the West Coast has a lengthy established presence in the historical literature, the events of the Second World War on the region served to concentrate the racial hatred of the majority against the minority. In the immediate aftermath of the Pearl Harbor attack, this historic antipathy steadily progressed to a point of fear and loathing for their neighbors, advocating their removal from West Coast society.

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<sup>8</sup> Yoshiko Uchida, *Desert Exile: The Uprooting of a Japanese American Family*, (Seattle: University of Washington, 1982), 54; Sandra Taylor in "The Internment of Americans of Japanese Ancestry" in Roy Brooks, ed., *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, (New York: New York University Press, 1999), 166; Daniels, *Prisoners Without Trial*, 29-33.



Months later, it became antipathy and, then, outright hatred for the Issei and Nisei, demanding their internment for the sake of domestic security.

Over time, as the war progressed and the threat of danger to the coastal region became more pronounced (due largely to poor prewar preparations, shortfalls in military resources, and the unplanned nature of war), these primal emotions in West Coast Caucasians gave rise to unfettered hatred in light of wartime deaths and perceived encounters with the enemy. As the federal government stumbled to mobilize for war, the decentralized military command structure of the Defense Command system and the unprepared WDC Commander, General John L. DeWitt, chose to retreat rather than devote limited resources to perceived superfluous civilian assignments. To separate the competing civilian social groups would have implied a risk of getting caught in the evolving Issei and Nisei West Coast maelstrom of racial antipathy and a subsequent drain on resources the military did not have. When the civilian government failed to act in their own defense in the perceived face of the enemy, the WDC was forced to assume a domestic role in addition to its coastal responsibilities. Once the army had overextended itself into the civilian sector, it was rapidly dragged into the morass of racial tensions and accusations of enemy activities charged against the Issei and Nisei, inadvertently becoming the means by which the West Coast racists would eventually relieve themselves of their neighbors. In the ensuing false revelation by DeWitt's own troops that an enemy force might very well be operating in country in tandem enemy fleet actions off the coast, DeWitt was drawn still further into a mire of federal agencies, poor intelligence findings, and political intrigue over the fate of the Issei and Nisei. Thus, the long advocated West Coast cry for the removal of residents of Japanese ancestry resulted from a still greater breakdown in command on a national level, an uncaring bureaucracy, and a racist California population.

The military hierarchy involved in these nebulous wartime civil-military relations of the Western Defense Command (comprised of mainly California, Oregon, and Washington State) consisted of regional civilian, regional federal (military and civilian agencies, including the Western Defense Command [WDC]), and Washington-based administrative authorities. The region's paramilitary and military forces consisted of local police forces, State Guard, and National Guard (which had already been federalized prior to the war), with support from each state's Civil Defense offices. The federal Offices of Civil Defense (OCD), the Bureau of Immigration (BoI), and the Federal Bureau of Investigations (FBI) functioned in parallel and in complement with state offices. Until the attack on December 7, 1941, the American military based on the Pacific Coast were considered by the General Staff to be exclusively training and administrative commands. At the commencement of hostilities and the subsequent activation of the West Coast Army as the frontline defenders of the Pacific Coast, the WDC and the U.S. Navy along the Pacific Coast assumed control over the security of the shoreline and military bases in the area. They also needed to keep watch on the region's defense contractor installations to ensure the uninterrupted production of wartime goods. After the activation order, the West Coast Army and Navy looked across the horizon for their prewar planned enemies and the Law of War/Law of Land War, which governed the lawful conduct of military personnel during this period, to advise their evolving civil-military responsibilities. The civilian components of the federal government, the WDC believed, would be responsible for the territory behind and between the military forces. They were wrong. Thereafter, the military's actions were governed by the changing shape of War Department and General Staff orders as well as by federal legislation and presidential Executive Order (EO). The structure of administrative command can

be most easily conceptualized as a series of concentric circles providing overlapping, layered protection for the American homefront.

The civilian West Coast of the United States also shared a special relationship with the American military. Dating back to the mid-nineteenth century, California had aided the army in the liberation of the state from their original Spanish and Mexican colonizers. As time passed, many came to view the army and the navy stationed throughout the region as both a source of security and a well-spring of economic growth. Over the course of decades, this identification bred within West Coast urbania a culture of militarization as an accepted response to unforeseen threats, which local government seemed incapable or unwilling to resolve. As the nation moved onto a war footing, this culture framed the civilian population's response to first, their insecurity over potential enemy attack, and later their racial scapegoating of the Issei and Nisei as the sources of their wartime insecurity.

In the period between the attack on Pearl Harbor and the February 19, 1942 signing of Executive Order 9066 authorizing the internment, the United States military and, specifically, the army's Western Defense Command, were shaped by several factors that, in turn, shaped the military's internment policy. The American military had played a pivotal role in the settlement of the West Coast. In crafting their war plans, however, the military had not considered either the military threat to the region or the poor preparedness of the region's civilian government. Once America was attacked, this poor planning and a lack of reserve forces overwhelmed Western Defense Command (WDC) Brigadier General John L. DeWitt as much as it had the civilians under his charge. This set off a cascading failure of confidence concerning their security, which spread to the general populace. Although initially intended to remain apart from their civilian

security and law enforcement counterparts, a series of unforeseen events and poor judgment forced the military's intervention deep into civilian life.

Magnified by internal regional political strife and an undercurrent of militant culture, the WDC commander made tactical errors in dealing with the public. The citizenry externalized their fears in the form of anti-Asian rhetoric and threatened violence. As the civilian situation deteriorated, flawed analysis by the region's military intelligence organs and cross-talk between the WDC, the War Department, and the Justice Department contributed to the destabilization of order on the West Coast. Wading through a veritable forest of federal legal precedents constrained their actions, the East Coast members of the Roosevelt Administration were repeatedly forced to concede crucial political and civil libertarian ground in favor of wartime expediency. Back on the West Coast, others in state and city offices asserted race-based lies that a fifth-column army was at large within the WDC to an uninformed military commander. Oppositely and in simultaneity, a minority of federal employees with tactical knowledge of DeWitt's situation actively argued that there was no military necessity for the broad sweeping actions the War Department was contemplating against the wishes of the WDC. As a result, the military, mired in fear and racial rhetoric, accepted the unjustifiable, an army-led mass evacuation of American Issei and Nisei.

## **Chapter One: Influences of Militarization on the Barbary Coast**

During the nineteenth century, a close relationship appears to have evolved between the American military and the civilian West Coast as a byproduct of U.S. expansionist policies. In the Mexican War, army officers instigated the settler militia uprising against the Mexican government. Together with elements from other branches of service, the Californians led a successful insurgent campaign that eventually brought the West Coast into the United States. Although the American army shrank during periods of peace, the citizens of the Pacific Coast seem to have drawn much of their industrial economy and cultural identity from their citizen soldier heritage and the grinding gears of the American empire. As the West Coast population centers grew from frontier port towns into rich urban centers built on the profits of gold, oil, and international trade, the same strong subtext could also be found in their personal solutions to urban crime, political corruption, and personal vice. By the eve of the Second World War, the West Coast tradition of militarization and their relationship with the American military appears to have been influential in fostering many of the West Coast society's false expectations and preconceived notions. As a result, most Pacific residents looked upon the American military as their staunchest protector and the use of militia force as an instrumental tool for resolving large problems.

During the early nineteenth century, British and American fur trading interests in the northwestern United States contributed to the coming of the War of 1812. Throughout the early nineteenth century, fears of war and incidents of partisan violence periodically disrupted the lucrative trade on both sides of the Canadian border. Like the pre-colonial Northeast, this Pacific territory was a potentially lucrative source of furs and fish. In the period of detente following the War of 1812, the United States and the British Empire entered into lengthy negotiations over

border rights to the Pacific Northwest. Their successes in the Treaty of 1818 and the 1846 Oregon treaty formalized a division between Canada and America and created the territories of Oregon and Washington.

In the 1840s, the West Coast, encompassing the present-day states of California, Oregon, Washington, and Alaska, figured as an object of international contention in American national and diplomatic policy. American surveys of the southern Pacific coast revealed similarly resource-rich territory, but the land was already the spoken dominion of Mexico, while other nations, such as Russia, were looking to seize the land for themselves. As rumors spread of foreign interest in the West Coast, American policy-makers became increasingly alarmed that the Spanish-held Pacific Coast might become home to “any new colony planted by Great Britain or any foreign monarchy.”<sup>1</sup> In the interest of the national economy and Manifest Destiny, the war with Mexico that broke out in 1846 served as the basis for the annexation of the New Mexico and California territories by American Army, Marine, and militia personnel.

The West Coast also held a substantial military asset for the American Army. Unlike the sparsely populated northwestern territories, American settlers had been migrating into the central and southern Pacific Coast since the 1830s. These settlements, largely situated near the region's walled Spanish mission towns, prospered from the growing Pacific trade routes. By the 1840s, the discovery of gold in the region had ensured the American government would gain the territory comprising modern California ceded to the United States. At the onset of War with Mexico, President James Polk utilized the Texas independence military emergency as a pretext for dispatching a military element (distinct from the American Mexican invasion forces) to claim the rest of the Pacific Coast. Under the command of Colonel Stephen Watts Kearny, this advance

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<sup>1</sup> James Knox Polk, *The Diary of James K. Polk during his Presidency, 1845 to 1849*, Volume I, (Chicago: A.C. McClurg and Co., 1910), 71.

force of 1000 mounted Missouri volunteers headed west before the coming of winter.<sup>2</sup> Their limited number and the vastness of the terrain made a direct military confrontation impracticable. Already in-country, Lieutenant Colonel John C. Frémont, the commander of a small West Coast Army survey unit, organized an armed insurgency by American civilian settlers, later referred to as the California Battalion, to overthrow the Mexican government. Under the banner of a California Bear, this militia was the key to the American military's successful conquest of the region. U.S. forces provided weapons and ammunition to sympathetic settlers and guided their insurgent campaign against the Spanish mission towns.<sup>3</sup>

Prior to the twentieth century, the militia served as the bulk of the American army's forces on the West Coast. Since the Colonial period, these groups of men had been traditionally comprised of civilians, sometimes led by experienced officers. Historically, they were mobilized to defend their locality. In the case of Frémont's Californian militias, their experience came more from hunting and home defense than from military tradition. They hoped their collective mass, territorial knowledge, and speed would be enough to offset the professionally-trained but fewer Mexican adversaries.

By the time Kearny arrived in California, the Army's insurgent militia strategy already had several major accomplishments. Frémont, supported by elements of the U.S. Navy's Pacific Squadron and the United States Marines, had already seized several of the old Spanish mission towns. In June, militia surprised and captured the Sonoma garrison. In early July, the U.S. Navy blockaded Monterey Bay, and a force of Marines secured Monterey, the capital of the Mexican state of Alta California. Two days later, a contingent of marines from the American Sloop-of-War USS *Portsmouth* captured a major fortress for Spanish/Mexican forces in San Francisco,

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<sup>2</sup> Ibid., 439, 444

<sup>3</sup> Ibid.

called the Presidio. Then a small militia force captured Santa Cruz. With these key strategic posts safely in American hands, the U.S. Navy withdrew, leaving Kearny and Frémont to complete the campaign with the remaining militia force of civilian scouts, farmers and hunters. In late July, they forced San Diego's surrender and captured Santa Barbara. Finally, in August, Frémont's volunteers seized Los Angeles. On January 13, 1847, Frémont signed the Treaty of Cahuenga, ending the war for California and solidifying America's hold on the West Coast of North America.<sup>4</sup> While the American Army and Navy personnel had been essential to the campaign, the role of the civilian militia in California's annexation became a guiding influence to the development of the West Coast.

This militia tradition also played an intrinsic role in the reorganization and internal development of the West Coast under the United States, which later became the foundation of a culture of militarization on the West Coast. Like the primary motivator of consolidation of the Plains region at the time in Plains historian Patricia Limerick's *Legacy of Conquest*, these West Coast insurgents-turned-conquerors were motivated by the desire for the region's natural commodities.<sup>5</sup> The discovery of gold and, later, oil brought unprecedented prosperity to the region. Likewise, the American colonizers also sought to obtain hegemony over the indigenous Mexican and Native American populace by denial of citizenship as well as limitations placed on residency and economic status. Unlike Limerick's Plains populace, the American colonizers resorted to coercion and the threat of violence to defend themselves against criminals and an unfair government.<sup>6</sup>

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<sup>4</sup> Kevin Starr, *California: A History*, (New York: Modern Library, 2007) 65-70.

<sup>5</sup> Patricia Limerick, *Legacy of Conquest: The Unbroken Past of the American West*, (New York: WW Norton, 1988), 153.

<sup>6</sup> Ibid. 26, 44, and 46.



By the 1860s, the old Spanish mission towns had turned into a thriving American port city haven for vice and crime. The more enterprising members of the urban elite often took advantage of new immigrants and the working poor by providing unsafe and overcrowded housing in these dangerous neighborhoods for exorbitant fees. For example, San Francisco, the largest of the West Coast cities of the period, had become renowned as modern incarnation of the old pirate-infested African shoreline, a new “Barbary Coast.”<sup>7</sup>

Given this absence of law enforcement, a large number of criminal operations and dangerous business practices developed along the West Coast unmolested by municipal governments. Such activities included large-scale houses of prostitution, smuggling, robbery, and kidnapping bar patrons for forced labor as sailors on commercial vessels usually bound for Asian ports.<sup>8</sup> In this environment, gang activity also flourished. These gangs, best exemplified by the Chinese Tongs, were frequently extensions of international underworld organizations looking to enhance their presence on the American criminal scene. They engaged in protection rackets, petty larceny, and assassination. Others, such as the Sidney Ducks, became vehicles for poverty stricken new immigrants needing protection and opportunities to work, albeit in a criminal manner.<sup>9</sup> After two decades of American dominion, underworld activities had earned San Francisco such a nefarious reputation that travelers referred to the city as the “Barbary Coast.”

Corruption in the police forces left many West Coast residents unprotected. As with most previous municipalities, the area's developing urban centers held limited judicial and emergency response infrastructure. There were few clearly delineated laws, penalties, and prisons. The few

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<sup>7</sup> Herbert Asbury, *The Barbary Coast: An Informal History of the San Francisco Underworld*, (New York: Thunder's Mouth Press, 2002), 49-50.

<sup>8</sup> Conexco Code Breaking Memorandum, West Coast, 1930, Conexco Memorandum Folder, 1928-30, Box 4, Elizabeth Friedman Collection, George C. Marshall Foundation; According to San Francisco historian Bill Pickelhaupt, this criminal activity became the origin of the slang term “being Shanghaied”. Bill Pickelhaupt, *Shanghaied in San Francisco*, (San Francisco: Flyblister Press, 1996), 6.

<sup>9</sup> Asbury, *The Barbary Coast*, 50.

constabulary forces on the West Coast, like those of Chicago, Kansas City, Boston, and New York, had limited sanction to enforce the law or were largely private security companies hired by businessmen and politicians to protect their interests.<sup>10</sup> The wealthy had little interest in sharing their private forces with their competitors or subsidizing large municipal police forces through increased taxation.<sup>11</sup> As a result, the majority of the urban population, including the poor, the immigrants, and the emergent middle class, were essentially left to develop their own means of economic and physical security.

With the indigenous populace now perceived as outsiders or “others” and both immigrants and poor serving as a buffer between the two,” the more wealthy and middle class West Coast citizenry interpreted the American cultural tradition of militarization to achieve domestic stability.<sup>12</sup> The deployment of the military and the region’s American militia units was effective in suppressing opposition in the Mexican War. The threat of force and coercion had also been successful against the native populace. Yet, a military force could not be called on to end civil strife between factions except at great expense.

Instead, a loosely organized peacetime civil-military hybrid, a paramilitary police force, was utilized by the wealthy to project will through institutional force. As individuals, the urban poor, immigrants, and middle class were powerless victims to this exercise of municipal power. Moreover, the rising Caucasian urban middle class, which was emerging as a pivotal force in urban growth, had also witnessed first- and second-hand the benefits of military action taken by civilians to drive off both Spanish/Mexican rulers and the indigenous “others.” While individual

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<sup>10</sup> Henry Caswall, *The City of the Mormons; or Three Days at Nauvoo in 1842*, (London: J.G.F.& J. Rivington, 1842) 25-26; J. P. Munro-Fraser, *The History of Santa Clara County, California*, (San Francisco: Alley, Bowen and Co., 1881) 358, 363; Franklin Tuthill, *The History of California*, (San Francisco: H.H. Bancroft and Company, 1866) 522.

<sup>11</sup> Ibid.

<sup>12</sup> Militarization can be defined as the use of a military force or presence to enforce civil policy.

crimes were considered isolated, unfortunate events to be privately mourned, most West Coast urban dwellers in the nineteenth century saw organized criminal activity as a clear and present danger to their communities. In response to this increasingly toxic climate of gang wars, fires, and crime, the poorer individuals unified against this perceived common threat. Using the militia concept, they developed a methodology of institutionalized mass coercion, which held together mass assemblages of private citizens in a hybrid militia structure, to resolve perceived ignored community problems with the threat and, sometimes, the act of violence.<sup>13</sup>

Initially, the Californians utilized such mass coercion in the form of vigilantism to curtail crime and political corruption. In several instances between 1850 and 1890, the residents of San Francisco, like the militia of the Mexican War, held closed meetings to discuss criminal actions or political corruption, voted for mass action, and appointed officers to manage their response to the threat. Far from uncontrolled lynch mobs, these groups, called Vigilance Committees, were organized from the rising urban middle class like their militia predecessors. With a loose chain of command under a person or advisory group, they deployed their forces judiciously throughout the city, patrolling in search of their enemy. In one instance, a California Vigilance Committee placed five thousand armed men in San Francisco to neutralize the activities of a single criminal gang.<sup>14</sup>

Unlike the limited constabulary of the traditional Anglo-American legal system, these hybrid militias acted without evidence, trials, or public defenders. They saw themselves as soldiers and the “others” as the enemy. Accordingly, there were no appeals to their decisions, which often resulted in punishments, including death that also served as warnings to other

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<sup>13</sup> *The WPA Guide to California: The Federal Writers Project Guide to 1930s California*, (Berkeley: Pantheon Books, 1984) 55.

<sup>14</sup> Joseph Clement Bates, ed., *History of the Bench and Bar of California*, (San Francisco: Bench and Bar Publishing Company, 1912) 70.

troublemakers. In 1851, a Vigilance Committee drove the “Hounds” (a large gang that had engaged in burglary, arson, and assassination and had preyed on minorities) from San Francisco by force of arms.<sup>15</sup> In 1856, another Vigilance Committee in Los Angeles expelled a group of businessmen engaged in fraudulent activities with corrupt politicians. In Los Angeles during the same period, several Vigilance Committees were formed to defeat the Salomon Pico, Juan Flores, and Pancho Daniel gangs.<sup>16</sup> As a result, perceived threats to the community unhandled by the government were viewed by the militants as if there were an invading force requiring the militia to assemble for war. “I cannot censure a people if, having been long and needlessly outraged by a gang of villains,” said Reverend Dwight Hunt, the pastor of the First Congregational Church, “they rise in their sovereign majesty...It is sometimes necessary to the existence of society thus to be its own lawyer, judge, and executioner.”<sup>17</sup>

In West Coast history, this militarized response also became a polarizing force between the community’s tolerated activities and those groups requiring stronger corrective measures. By the 1880s, the actions of the Vigilance Committees appear to have been so effective that the state’s political leadership and their business supporters saw the maintenance of a large scale municipal law enforcement division as a deterrent both against crime and against the rise of the Vigilance Committees which could threaten their own designs.<sup>18</sup> While these ad hoc militias dissolved at the conclusion of their self-appointed missions, each success reinforced in subsequent Vigilance Committee’s tendency to attempt similar changes in more subjective matters, though with mixed results. For example, in 1885, Reverend Terence Caraher, an Irish immigrant and pastor of the St. Francis Catholic Church in San Francisco, led his followers in

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<sup>15</sup> Ibid. 62; *The WPA Guide to California*, 55.

<sup>16</sup> Ibid.

<sup>17</sup> Bates, *History of the Bench and Bar of California*, 63.

<sup>18</sup> Asbury, *The Barbary Coast*, 300-301.

“incessant warfare against the Red Light District and the Barbary Coast.”<sup>19</sup> He led protest marches. His supporters forcibly blocked the doorways to brothels and pressured the property owners, hoping to evict the prostitutes. Later, he attacked nickelodeons, public dancing, and most urban trolley cars, which he labeled “dance halls on wheels.”<sup>20</sup> Prostitution did not end in San Francisco until 1917, but many politicians, journalists, and historians credit his militant approach with turning the tide against the Barbary Coast.

This climate of militarization also heavily influenced rival political and social organizations to pressure government and their neighbors to adopt their radical societal views, including attempts at controlling vice and racial segregation. Although Caraher's actions were non-violent, other militarized social reformers, such as the Committee of Public Safety (a self-appointed group of Christian social reformers in San Francisco), were violent and more far-reaching in their goals. In the 1870s and 1880s, this Vigilance Committee, comprised of approximately four thousand armed civilians carrying pick axes, initially mobilized to oppose the mobs of unemployed workers roaming the streets of San Francisco and destroying private property. A few weeks later, the same group, led by Dennis Kearney, an Irish Immigrant and experienced vigilance committee leader, reversed course. Kearney turned the group against the city's Chinese immigrant population, who were being imported by private businesses for unskilled labor at a fraction of native California's standard wages. In response to the Vigilance Committee's gunfire and carefully placed bombs, the police apprehended Kearney and his associates.<sup>21</sup>

Some urban historians have called Kearney's Vigilance Committee blunted revolutionaries or street theater actors, but their actions did have a deeply polarizing effect on

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<sup>19</sup> Ibid. 261

<sup>20</sup> Ibid.

<sup>21</sup> Starr, California, 125-127.

California politics, fusing violent anti-Asian rhetoric with mass movement politics.<sup>22</sup> In the twentieth century, their efforts were followed and magnified by the politically-connected Knights of the Golden Circle, the White California Movement, and others, which formed an amalgam of workers and political leaders advocating comprehensive state, and eventually national, anti-Asian legislation. They worked to restrict and, then, eliminate immigration, limited immigrant personal legal rights, alien land rights, and citizenship entitlements.<sup>23</sup>

The new militarized xenophobic organizations and general anti-immigrant sentiment served as the basis for the West Coast's anti-Asian climate at the onset of the Second World War. At the end of the Civil War, an increasing number of California's Southern sympathizers merged with disaffected, poor, urban laborers to form an urban undercurrent of white supremacy.<sup>24</sup> By the twentieth century, their racially motivated successors, such as the Native Sons of the Golden West, had become influential in state and federal racial policy-making. Their more influential members included 1939 State Governor Culbert and then-Attorney General Earl Warren, both of whom would lead the post-Pearl Harbor charge to intern the Japanese (Issei) and Japanese-Americans (Nisei).

The West Coast of the twentieth century also greatly benefited economically from their relationship with the American military by providing both direct and indirect services throughout the Pacific Rim. At the end of the nineteenth century, West Coast shipping was protected by two Pacific Fleets, a North and South set of fleets, creating numerous opportunities for maritime

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<sup>22</sup> Ibid.

<sup>23</sup> Originally, the Knights of the Golden Circle were allegedly a secret society organized after the Mexican War to lead the nation in a war of conquest against Northern Mexico and, later during the Civil War, the overthrow of several northern states, including Indiana, Ohio, and California. Imogen Spaulding in "The Attitude of California to the Civil War" in *Publications of the Historical Society of Southern California*, Volume 9, (Los Angeles: Historical Society of Southern California, 1897) 114.

<sup>24</sup> Aurora Hunt, *The Army of the Pacific: Its Operations in California, Texas, Arizona, New Mexico, Utah, Nevada, Oregon, Washington, Plains Region, Mexico, etc, 1860-1866*, (Mechanicsburg: Stackpole Books, 2004) 343.

commerce, repair work, and personnel.<sup>25</sup> The Navy's push for mid-Pacific coaling stations in the late 1890s also provided economic opportunities by providing West Coast ships decreasing the sailing time necessary to reach Asian markets.<sup>26</sup> Similarly, the 1895 purchase of Pearl Harbor and the acquisition of the Philippines brought several lucrative government contracts for shipbuilding and maintenance to West Coast firms.

The Spanish-American War, however, served as the transformative moment in this civil-military relationship by tying the West Coast directly to American military expansionism across the Pacific and, eventually, against the Japanese Empire. In the conflict, Admiral George Dewey's fleet and the fleet deployed to Cuba had been developed at the large San Francisco shipfoundry Union Iron Works, including the battleship *Oregon*, the *Monterey*, the *Olympia* and the *San Francisco*.<sup>27</sup> During this conflict, the West Coast shipyards were employing approximately 1,500 men, providing services to approximately 1,590 American ships with an aggregate 456,900 odd metric tons.<sup>28</sup> Improvements to the American military's island outposts also contributed to the California economy. For example, in 1909 and again in 1914, the San Francisco Bridge company was contracted to provide the Navy with dry docks at Pearl Harbor under \$2.7million and \$1.7 million construction contracts, respectively.<sup>29</sup> When the United States Navy granted San Diego Harbor the opportunity to host the Pacific Fleet in 1914, the city leaders succeeded in garnering still greater profits by lobbying for the placement of a Marine Corp training base and

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<sup>25</sup> Major General Adolphus W. Greely, *Special Report: Earthquake in California*, April 18, 1906, (Washington: Government Printing Office, 1906) 5-13; *Executive Documents Printed by order of the House of Representatives during Second Session of the Forty-First Congress, 1869-1870*, (Washington: Government Printing Office, 1870) 37.

<sup>26</sup> "Pearl Harbor Coaling Station," *New York Times*, January 9, 1893, p.1.

<sup>27</sup> "American Shipbuilding," *Scientific American*, July 25, 1896, p. 86; *Annual Report of the Chief of the Bureau of Steam Engineering for the Year 1891*, (Washington: Government Printing Office, 1891), 37.

<sup>28</sup> *Ibid.*

<sup>29</sup> "Will Finish Huge Drydock," *New York Times*, December 5, 1914, p.14.

the Mount Wilson Observatory.<sup>30</sup> Although the surge in production would not survive the Great Depression, by the 1920s, this economic militarization had effectively underwritten California's emergence as a Pacific rival to the Atlantic coastal port cities in less than a hundred years.

Still, the primary and secondary literature suggests that most influential component of the civil-military relationship on the West Coast prior to the Second World War was the perception of the military as a protector and provider of humanitarian aid. Few better examples of this can be found than in the 1906 San Francisco earthquake and fire. Although the civilian government of the city and state had been paralyzed by the 7.9 magnitude earthquake, Brigadier General Frederick Funston, a Spanish-American War hero and acting army commander at the Presidio, autonomously declared martial law at the start of the disaster, dispatched troops to aid local law enforcement, and coordinated all available military resources to arrest the rising fire. When the fire grew out of control, the military rendered assistance to citizens fleeing the blaze and utilized experimentally placed explosives to dig firebreaks in the hope of saving the few remaining buildings. Once night fell, Funston and his men provided the tens of thousands of homeless with Army tents, blankets and provisions. Although some later criticized Funston's unilateral declaration of martial law, the city residents and the California political leadership saw the military's presence as essential to San Francisco's survival. Moreover, they viewed Funston's actions as those of a consummate soldier and municipal hero. As a result, many in California came to accept the American military as their personal protectors.<sup>31</sup>

Taken together, these martial facets appear to have become a thoroughly integrated part of West Coast culture by the advent of the Second World War. The erection of coastal artillery batteries and fortifications were met by the War Department with both community excitement

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<sup>30</sup> Starr, *California*, 220

<sup>31</sup> *Sixth Annual Report of the American National Red Cross*, 1910, House of Representatives, 61st Congress, 3d Session, Document Number 1399, (Washington, Government Printing Office, 1911).



and political aspirations. Even the decline in congressional funding of the American military after the First World War and the hardships of the Great Depression failed to diminish California's perceptions of the military. Political leaders continued to ensure some congressional funding for California-based and Pacific island military projects, including the erection of naval reconnaissance facilities and an experimental army/navy aviation program for the development of an aviation component to American military branches. Even amidst increasing national non-interventionist sentiments, the Hollywood film industry continued to reinforce images of the American military as heroes, technological innovators and protectors. In “Hell's Angels” (1930) and “King Kong” (1933), American military aviators were depicted as knights of the sky defending America and her allies from enemy attack and wild animals. In “Drums along the Mohawk” (1940), American colonial forces were depicted as vigilant frontier militiamen pitted against an elusive and mischievous collection of enemies. In “Sergeant York” (1941), American audiences followed the heroic battlefield actions of a back country Tennessee farmer-turned First World War conscript in the trenches of Europe. Even as the nation approached the Second World War, many West Coast residents identified their military-style car fog lights and civil defense exemptions for their private vehicles as personal status symbols.<sup>32</sup>

Likewise, militarization also appears to have influenced children's perceptions. In 1941, military-themed toys were reportedly among the most sought after Christmas presents for children.<sup>33</sup> The items ranged from spark-firing machine guns, full-sized toy field artillery, propeller-driven metal airplanes, and a rubber ball with attached magnets, which were made to

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<sup>32</sup> “Our 'Fog Lights' Turn out to Be not So Terrific,” San Francisco News, p.14; “Cullenward Resigns as SF Defense Director,” San Francisco Examiner, December 30, 1941, p. 1. These aspects of California culture will be more directly analyzed in chapters 3 and 4.

<sup>33</sup> “Toyland Takes on a Military Air This Year,” San Francisco News, December 30, 1941, p. 6.

resemble magnetic mines. These products, bought by parents for Christmas, enabled children to engage in war play, idealizing the soldiers on city streets, in movies, and in newsreels as heroes.

In less than a hundred years, the relationship between civil and military sectors of the West Coast seems to have grown and deepened. For some, they were the means of achieving independence from Mexico. Others employed characteristics of army organization in their own personal, political and social actions. Still others appear to have seen the army and navy as long-standing revenue generators essential to the West Coast economy. Even more individuals came to see the military through the prism of exemplary leadership, such as Frémont, Funston, and MacArthur presenting California, Washington, and Oregon with high ranking, forward looking protectors and advanced strategic thinkers. These idealized visions provided West Coast residents with a narrow perception of the American military as protectors and revenue generators. Moreover, they supplied Californians with the means to resolve conflicts in an ad hoc military fashion. Finally, they also, inadvertently, encouraged an increasing degree of civilian dependency on the military until the Second World War. As a result, the West Coast never saw the possibilities of American military failure in the Pacific or Second World War arriving at the threshold.

## **Chapter Two: Army Preparations for War on the West Coast**

By all accounts, the United States of America was not prepared to fight a full-scale conflict against either Germany or Japan in 1941. The First World War had showcased American military might, but in the interwar period, most branches of service suffered deep annual cuts to their military projects due to ill political will and then the Great Depression. As Nazi Germany launched their 1939 invasion of Poland, the American military stood as a shadow of its former self. According to Army Chief of Staff George C. Marshall, the nation had neither the supplies nor the skilled troops nor a workable plan with which they might defeat either Germany or Japan.<sup>1</sup>

In response, the army created a series of short-term solutions to speed up the nation's war preparedness. This included the activation of a corps command system and the creation of a four-zoned continental Defense Command System through which they could eventually train and deploy troops overseas. This military transformation also generated mixed result. In time, the army became its own worst enemy, creating an unwieldy bureaucracy incapable of handling its wartime responsibilities. The Ninth Corps and Western Defense Command (WDC) of December 1941 stands as an exemplar of the U.S. Army's poor prewar planning and flawed administrative management process, which created the conditions for a flawed Pacific coastal defense and the instrument of the Japanese-American (Nisei) internment.

Prior to the Second World War, American conceptions of defense were largely dictated by geography. The existence of two vast oceans and two non-threatening colony states at the borders of the United States promoted a more passive, and limited national security doctrine.

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<sup>1</sup> Walter Millis, ed., *The War Reports of General of the Army George C. Marshall, Chief of Staff, General of the Army H. H. Arnold, Commanding General, Army Air Forces [and] Fleet Admiral Ernest J. King, Commander-in-Chief, United States Fleet and Chief of Naval Operations*, (Philadelphia: Lippincott, 1947), p. 20.

Since the War of 1812, no foreign army had breached the recognized borders of the United States. According to Allan Millett and Peter Maslowski, the lack of a need for a large, active, and robust defense force fostered a “dual army tradition” in which a small standing professional officer corps and a civilian-militia resource pool could, in times of emergency, be assembled to defend the continent.<sup>2</sup> In times of war and domestic emergency, the officer corps would train and guide a sudden boom of civilian volunteers and draftees to achieve their goals. Once military action was no longer deemed necessary by the political leadership, the supplemental force would disappear, leaving the experienced officer corps to work on civilian projects, maintain military equipment, and prepare for future action.

In the nineteenth and early twentieth century, this focus on domestic defense grew to include small coastal fortifications and island outposts. These included Fort MacArthur in Los Angeles, the Presidio in San Francisco, and the island outposts of Pearl Harbor in Hawaii and Manila Bay in the Philippines. Apart from the Spanish-American and First World Wars, the army's effective manpower, however, remained diminutive. “Its tactical units,” described army historian Timothy Nenninger, “were usually under strength, with enlistments often lagging, desertion high, and often officers away on detail.”<sup>3</sup> As a result, the American army generally defaulted to a passive peacetime defensive status for the better part of a century.

Since the conclusion of the First World War, American army administrators, however, had struggled with this inherent tension between the country's traditional antipathy for a large standing army and the modern requirements of military mobilization to fight a large war in a timely fashion. The American Expeditionary Force (AEF) of the First World War had been slow

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<sup>2</sup> Allan Millett and Peter Maslowski, *For the Common Defense: A Military History of the United States of America*, (New York: Free Press, 1994), 57.

<sup>3</sup> Timothy Nenninger, “The Army Enters the Twentieth Century,” in Kenneth Hagan and William Roberts, *Against All Enemies: Interpretations of American Military History from Colonial Times to the Present*, (Westport: Greenwood, 1986), 219.

to mobilize, ill-trained, and, initially, ill-equipped to fight the Germans. Moreover, as military historian Allan Millett showed in “Over Where? The AEF and the American Strategy for Victory, 1917-1918,” the military also lost much of its most precious resource at the conclusion of the conflict, experienced combat officers.<sup>4</sup> Without institutional memory, the army stood to lose the capacity for a speedy mobilization and deployment. This problem, coupled with a shortening window between war declaration and the need to field an army, posed a serious dilemma for a near-world power that declared war and then raised, trained, and equipped a force to fight the conflict. Unable to sway Congress to endorse either the retention of the American Expeditionary Force or universal conscription, a series of interwar era army chiefs and their staffs made a concerted effort to redesign the army's structure to allow for a rapid wartime expansion and deployment. Without the necessary troops, their solution, however, would remain an untested paper force until 1941.

The U.S. Army that fought the opening months of the Second World War and created the Western Defense Command arose in a piecemeal fashion through the surviving officer corps's interwar academic experimentation. First, the Army conceded the point that the term “defense,” and later “defense command,” “is in no particular or territorial sense, rather in the broad meaning of preparedness against any future wars or threats of wars.”<sup>5</sup> Second, the army's narrowly won National Defense Act of 1920, which had been the singular postwar military concession gained from Congress, allowed for the organized peacetime establishment of the Regular Army, the National Guard, and an organized reserve force. Third, the War Department and the General

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<sup>4</sup> Allan Millett, “Over Where? The AEF and the American Strategy for Victory, 1917-1918,” in Hagan and Roberts, *Against All Enemies*, 242.

<sup>5</sup> William Bronk, First Lieutenant, CAG, *The History of the Eastern Defense Command and of the Defense of the Atlantic Coast of the United States in the Second World War*, EDC Headquarters, Governor's Island, New York, 1945, 1, Box 1, Record Group 499 Records of the U.S. Army Defense Commands, National Archives and Records Administration (NARA).

Staff designed a new administrative infrastructure that would link “fighting elements” with a “network of command and staff necessary to unify technical functioning of the American Army.”<sup>6</sup>

This reorganization under the command of the Army Chief of Staff system, dividing the army’s ground forces into groups smaller than a field army (which would be comprised of several corps and a variable number of divisions, troops, and service support components to act under a unified command force) and designated to provide administrative, logistical, and tactical operations against an enemy became the Army Corps system. Both size and direction varied between wartime and peacetime. Overseas a corps would provide direct support for combat operations in a given area. During peacetime, a corps would be responsible for training soldiers and developing war plans. This mission continued as troops and materials were to be fed into this system in the mobilization for war, thereby, in effect, creating a situation in which the corps would be acting as part of a Field Army within the domestic sphere of the United States. Once activated by the Chief of Staff through General Headquarters (GHQ)<sup>7</sup> for war, they assumed the posture of a field army. Instead of adhering to the time-consuming process of organizing an army on a foreign shore (as the AEF had in the First World War), army mobilization theoretically was outlined by the sitting Army Chief to take place domestically and in only a matter of weeks. Fourth, these established domestic corps (and others to be created as needed) were then restructured to serve as a new recruitment distribution and training system. This new structure would then be able to replace combat losses and serve as a resource pool for additional army needs in a mass mobilization. It also seemed capable of better meeting the manpower

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<sup>6</sup> Ibid.

<sup>7</sup> The name and very concept of a GHQ were lifted entirely from the AEF's deployment in Europe. It functioned as a forward operating headquarters responsible for strategy, deployment of troops, and resources across the European battlefield.

demands of a sudden peace-to-wartime mobilization through a delegation of administrative responsibilities from GHQ directly to corps commanders. In theory, this bureaucratic move would allow America's "skeletonized" peacetime army to deploy more rapidly to a combat zone than in any previous conflict.<sup>8</sup>

The West Coast featured prominently as a testing area for this revision of American army administration. Given the great distance between the War Department on the East Coast and the West Coast, the paper army corps detailed to the Pacific (eventually consisting of Seventh and Ninth Corps) were designed to function in a largely administratively autonomous capacity in carrying out Washington policies. According to period sources, an estimated day of non-stop air travel or three and a half days of railway travel were the minimum travel times required to move deployment-ready troops from the East to the West Coast for action. As with their later army corps counterparts deployed to the Pacific, Africa, and European, in the early 1930s, the War Department, hence, deferred the implementation of army policy to domestic field commanders.<sup>9</sup>

Yet, unlike their colleagues placed on the front lines, the domestic Corps commanders were tasked by the Army Chief with two basic functions. These were (1) the development of frontier defense plans and operating plans assigned to them by War Department War Plans and (2) the organization, training, and management of their unit personnel.<sup>10</sup> To guard against the possibility of cannibalizing officers and material from one corps for another assignment, the Army Chief also ordered that "Field Army Commanders would have no administrative functions

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<sup>8</sup> Bronk, *The History of the Eastern Defense Command*, 1-2; *History of the Army Ground Forces*, July 1944, 4, Adjutant General's Office, Dept of the Army, Washington, Departmental Records, General Staff, G2 Section, Subject Correspondence File, 1942-1945, Box 37, Record Group 337 HQ Army Ground Forces, National Archives Records Administration (NARA).

<sup>9</sup> Millis, ed., *The War Report*, 77.

<sup>10</sup> *Ibid.*, 6.

outside of their own corps areas in time of peace except as might be necessary to enable them to perform the above designated duties."<sup>11</sup> By the same means, it also limited the redundancy and supply disparity of earlier field armies. As a result, in 1940 each corps became a single cohesive field army tasked for first, training and then, an Army Chief of Staff-ordered prompt deployment for battle overseas.

The army's fixed artillery emplacements along the West Coast also figured prominently in both interwar planning and the 1941 Ninth Corps and Western Defense Command. As fixed emplacements with limited budgetary needs, coastal artillery sites had weathered the interwar periods far better than most army elements. Although funds to procure new equipment for the general army remained largely unavailable, these small posts were ideal rallying points for the new GHQ's paper army. First, in theory the coastal facilities, equipped with serviceable field pieces and manned by caretaker garrisons, provided a minimal blanket of security against attacks on civilian shipping by providing token visible deterrents, such as coastal batteries and combat air patrols (CAP) in the event of hostilities.<sup>12</sup> More importantly, the revised army mobilization effort intended these sites to also be utilized as static supply depots and training centers. "It could," they argued, "immediately function as a tactical defensive force and could be used to relieve Corps Area Commanders of their functions of discipline, instruction and routine training of Coast Artillery troops in all Corps areas which contained harbor."<sup>13</sup> Once in operation, the General Staff left the Corps commanders to train their troops for battle and administer regional

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<sup>11</sup> Bronk, History of the Eastern Defense Command, p. 3, Box 1, RG 499 Records of the U.S. Army Defense Commands, NARA.

<sup>12</sup> This belief was based far more on theory than practice, as the coastal defense guns prescribed by the Endicott Board in 1886 were later determined by the army and future Defense Commanders to have been unable to deter the small enemy landing craft utilized in the Second World War. Bronk, History of the Eastern Defense Command, 13, Box 1, Record Group 499 Records of the U.S. Army Defense Commands, NARA.

<sup>13</sup> Ibid., 2.



concerns. As a result, the commander of the corps headquarters, on paper, effectively became responsible for “the administrative housekeeping of the Army.”<sup>14</sup>

In the years preceding the Second World War, California became a proving ground for many of the army developments. As tensions rose due to Japan’s expansion across Asia, in June 1936, Fourth Army, one of four armies originally formed within the continental United States in 1932 to plan, command, train and mobilize troops in the event of war, was moved from Omaha, Nebraska to San Francisco, California. Based out of the old Spanish Presidio at the rear of the San Francisco harbor, this move provided an active physical administrative presence on the Pacific Coast through which future forces could be funneled into Pacific Rim combat zones. It was comprised of eleven divisions, including the Regular Army, National Guard and Organized Reserve, and four cavalry divisions from both the Regular Army and the National Guard. Similar to the transfer of the American Pacific Fleet command from the California coast to Pearl Harbor in the same year, the movement of a field army over the outright creation of a Corps Command likely also served as a warning to the Japanese against their aggressive moves in South East Asia. Unlike a largely paper corps, Fourth Army was an active and provisioned ground force capable of opposing an enemy on their soil.

Likewise, the placement of a defensive force on the West Coast also inadvertently reinforced California’s traditional militarization preconceptions. As discussed in the previous chapter, the placement of Fourth Army in California fit within the established precedents of previous coastal defenders and trainers. Both the eventual designation of the Western Defense Command and General DeWitt’s command appointment to the grounds of the Presidio were similarly reminiscent of both the importance of California in the Mexican War and General

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<sup>14</sup> History of the Army Ground Forces, 3, Adjutant General's Office, Dept of the Army, Washington, Departmental Records, General Staff, G2 Section, Subject Correspondence File, 1942-1945, Box 37, RG 337 HQ Army Ground Forces, NARA.

Funston's role in saving the City of San Francisco from the earthquake and fire that had nearly destroyed the city earlier in the century. This addition would have also been viewed as a compensatory security measure for the transferred out United States Naval Pacific command. Lastly, the activation of long dormant military garrisons and the anticipated influx of new trainees to the area would have had a positive impact on the regional economy, which had been suffering from the effects of the Great Depression. As a result, the West Coast would have looked upon the WDC as their protectors and a welcome facet to civilian society.

In the following year, the army used the Fourth Army's infrastructure to establish the Ninth Corps, which was intended to assume Fourth Army's domestic responsibilities and, thus, leave the field army to be rotated overseas. Under the post First World War plan, Ninth Corps was given the responsibilities for planning the defense of the Pacific Coastal Frontier (the immediate vicinity before and behind the California coastline) by the Chief of Staff, fostering a working relationship with the Navy, creating a regional mobilization plan, and designing a regionally-based Emergency Plan: WHITE.<sup>15</sup>

In addition to these planning measures, the West Coast army elements were also ordered by the Secretary of War to test their inter-service working relationships and plans in joint Army-Navy exercises. As troops had yet to be fleshed out on paper, Ninth Corps remained a stand alone administrative structure. On December 5, 1939, Lieutenant General John L. DeWitt assumed command of Ninth Corps and Fourth Army to oversee the development of West Coast training and harbor defenses, the installation of an experimental Aircraft Warning Service, and, effectively, the building of a comparable joint Army-Navy military infrastructure in Alaska

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<sup>15</sup> Towards the end of the nineteenth century, army General Staff officers created a new set of war plans for a perceived emergent threat to the integrity of the United States. Named War Plan: WHITE, the plan outlined the army's theoretical response to a second American civil war, which pit American urban against rural poor populations. In 1926, this iteration of the war plans was discontinued. Ross, Steven, T. *Peacetime War Plans, 1919-1935, Volume I*, (New York: Garland Publishing, Inc., 1992), 23-80.

capable of deterring potential Japanese aggression.<sup>16</sup> Sufficient troops would not be sent to Ninth Corps to service these goals until late 1942, largely relegating the Fourth Army fighting force to DeWitt's administrative needs. In his first survey, DeWitt found the total troop strength of Alaska to be less than three hundred infantrymen based at Chilkost Barracks and some naval construction personnel at Sitka and Kodiak.<sup>17</sup> Much of the Alaskan/Canadian military infrastructure used to eject the Japanese invasion force in the Battle of the Aleutians was installed by DeWitt before January 1942. Most of Oregon, Washington, and California were, likewise, surveyed, but, as they were deemed by the War Department to be a lower priority and as factories were backlogged with orders for replacement coastal artillery pieces, the lower Pacific states' fixed defenses remained largely undeveloped

During the prewar period, General DeWitt's command became exemplary of the Army's failure to achieve both form and function in its modernization of the bureaucracy. Administratively, the army maintained two separate main headquarters in California and another in Alaska, with Fourth Army and Ninth Corps administrative and training duties creating conflicts and redundancies. In creating defense plans for the Pacific Coastal Frontier, the redundancy was further complicated by the War Department's orders that DeWitt maintain regular contact with the Coast Guard, the Office of the Chief of Naval Operations (CNO), the Office of Naval Intelligence (ONI), commander of the Ninth Naval District, the War Department, Military Intelligence (G-2), California's Army Air Corps commanders, the Canadian military and civilian government, and the California law enforcement community.<sup>18</sup> Matters were further complicated by the Department of the Navy's designation of a separate Naval

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<sup>16</sup> Western Defense Command, United States Army, September and October, 1945, The History of the Western Defense Command, Appendix, 1945, 1-3, United States Army Heritage and Education Center (USAHEC).

<sup>17</sup> The History of the Western Defense Command, Volume 1, Western Defense Command, United States Army, September and October, 1945, 1-2, USAHEC.

<sup>18</sup> Ibid., 1-4.

Coastal Frontier for the West Coast and Alaska. To provide an effective defense of California's San Francisco Harbor alone required constant daily communications among Navy sea-based elements, harbor patrol boats, army coastal artillery positions and the office of the commander of the Ninth Corps. Likewise, training through drills and war games required heavy administrative monitoring. For a single full command office, this might have been a daunting task. General John DeWitt had only a handful of staff members throughout the prewar and early periods. Worse still, these communications and the additional efforts to augment Alaska's defense went through two outmoded and understaffed switchboards in the Presidio. In effect, Army planners decentralized more duties to their corps commanders than they could handle. Hence, just prior to the Pearl Harbor attack, this peacetime army command (which would be activated as the Western Defense Command during the war) had already reached the upper limits of its ability to function.<sup>19</sup>

The degree of frustration induced in this command structure can most readily be viewed in the paperwork involved in the logistical planning of a simple military action. "During the planning phase," wrote one staffer, "there were never any differences of opinion on the major defense problems involved in the coordination of some of the minor details between the four headquarters was however a task of first magnitude. Much valuable time was unnecessarily lost because of the absence of any one individual in position to command all severity [sic]."<sup>20</sup>

Additional factors further distorted the ability of the Army on the West Coast to function. International politics further widened the scope of DeWitt's responsibilities in his preparations

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<sup>19</sup> General John Dewitt Teleconference Transcript with Colonel Willard A. Holbrook, Assistant to Chief of Staff, G2, Regarding RIC, February, 1, 1942, Box 1, Hirabayashi Hearing Material, United States Army Heritage and Education Center (USAHEC); History of the Western Defense Command, Volume 1, 1-9; History of the Western Defense Command, Volume 5, 1-2, and 5, USAHEC.

<sup>20</sup> The History of the Western Defense Command, Volume 1, 9-10, USAHEC. The four headquarters included the WDC, the Pacific Southern Naval Coastal Frontier [later redesignated the Western Sea Frontier, and comprising the 11th and 12th Naval Districts], the Pacific Northern Naval Coastal Frontier [later redesignated the Northwestern Sea Frontier and comprising the 13th Naval District and the Alaskan Naval Sector], and the Fourth Air Force.

for war. The Roosevelt administration had long been wary of the rise of Nazism in Germany. Although initially unable to render direct assistance to the Allies, the British had become more closely attuned to each other's strategic needs through a series of diplomatic conferences, economic agreements, and personal friendships.<sup>21</sup> The relationship extended to the war planning levels of the military forces. Eventually, the leaders of the two nation's militaries and their respective staffs were instructed by President Franklin Roosevelt and Prime Minister Winston Churchill to collaborate through a series of ABC (America-British-Canada) Conferences on the formation of a combined strategy to defeat the Axis. As early as 1938, the U.S. Army and Navy had been discussing a limited national defense to Japan's aggressive moves based on the Monroe Doctrine, but, once the British were involved, the immediacy of the threats to Latin America and naval dominance of the Pacific dissipated. This ABC efforts resulted in a plan, called Rainbow-5, which designated Nazi Germany as "the predominant member of the Axis Powers" and relegated both the American Pacific Islands and the West Coast to purely defensive actions until Europe could be secured by the Allies.<sup>22</sup> Period records also indicate that these war plans spawned redundant war plans on the West Coast, increasing DeWitt's duties still further to include military liaison duties and the creation of overlapping mutual defense plans with Western Canada and Mexico.

The 1939 invasion of Poland further altered DeWitt's West Coast military command from a field army paper bureaucracy into a staffed wartime homefront defense force, called the Western Defense Command. After the First World War, many active and veteran military officers, such as Leonard Wood, John Pershing, and Theodore Roosevelt, had tried to convince

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<sup>21</sup> Robert Dallek, *Franklin D Roosevelt and American Foreign Policy, 1932-1945*, (New York: Oxford University Press, 1995), 35, and 247-254.

<sup>22</sup> "Rainbow No. 5 (Revised), November 19, 1941" in Steve T. Ross, ed., *U.S. War Plans, 1938-1945*, (Boulder: Lynne Rienner, 2002), 135 and 139.

the public of the need for a large peacetime army. When that proposal failed to gain traction, they advocated for limited universal conscription for skills training. The petition and each subsequent effort also died lonely deaths in congressional sub-committees and in anti-war national newspapers. Unlike previous events, the 1939 Nazi invasion of Poland gave Franklin D. Roosevelt and his Army Chief of Staff, General George C. Marshall the limited “will of the people” to begin filling their paper army in preparation for war as a purely defensive measure.<sup>23</sup> Remembering Marshall's dismal failure the preceding February to elicit congressional funds for “modern equipment for the Regular Army and National Guard” and to “replace her thirty-four year old rifles with more modern weapon,” the administration re-contextualized their needs in terms of manpower.<sup>24</sup>

Over the next few years, their limited concerted efforts were able to fabricate only a small token force, bereft of equipment, for the defense of either the Atlantic or the Pacific Rim. On September 8, 1939, Roosevelt signed Emergency Proclamation Seven, authorizing the number of armory drills of the National Guard to be increased from forty-eight to sixty per year, with additional training authorized for the following fall, which would also allow training of recent recruits.<sup>25</sup> In 1940, Marshall similarly recast his request for 28,000 men, including 13,000 for the Air Corps, against the actions of Hitler's “German avalanche” of May and June that year, as a “long-standing protective mobilization.”<sup>26</sup> Consequently, the army's Corps Command training camps on the West Coast and throughout the country began to swell with new recruits.

The addition of new personnel also negatively affected operations for DeWitt's command on the West Coast. First, the administrative paperwork traffic rose dramatically as training camps

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<sup>23</sup> Walter Millis, ed., *The War Reports*, 15.

<sup>24</sup> *Ibid.*, 16.

<sup>25</sup> *Ibid.*, 18.

<sup>26</sup> *Ibid.*, 20.

filled with new soldiers. Second, due to the rapid expansion and in direct contravention of the modernization effort's original goal, DeWitt's most experienced officers began to be reassigned by the General Staff in Washington to more urgent duties. Third, there was a sharp increase in disciplinary actions during this period, as masses of ill-disciplined and untrained conscripts broke rules, regulations, and, on occasion, engaged in outright larcenous behavior. The increased volume of men and transfers was also followed by a veritable sea of requests for supplies and training equipment, which were very slow in coming. Bereft of a full complement of troops and without the compensation of additional auxiliary staff, DeWitt's staff was now tasked by the General Staff with double their previous workload.

The public's prewar disinterest in mobilization also negatively impacted Congress's willingness to provide the army's corps training personnel with the most basic military equipment. First, the numbers of inductees were falling far short of the War Department's secret VICTORY PARADE assessment of a million-man force to deter the Axis powers.<sup>27</sup> In 1939, Marshall had grumbled that the army was too small to maintain even a single complete field army, noting, "There existed the mere framework of about three and a half square divisions approximately fifty per cent complete....personnel scattered among a number of Army posts [sic]." Second, budget limits had also severely hampered transportation of military units about the country, because there were too few motor vehicles at the division level. Third, the paucity of essentials left most soldiers without proper gear and region-specific clothing. There "were virtually no corps troops," Marshall complained, "almost no Army troops or GHQ special troop units, which are necessary for the functioning of the larger tactical units."<sup>28</sup> In 1940, the U.S. Army stood at 257,000 men (counting career officers, short-term enlisted, Organized Reserves,

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<sup>27</sup> December 3, 1941 Meeting Notes, Henry Stimson Papers, Reel 7, Yale University Library.

<sup>28</sup> Bronk, *The History of the Eastern Defense Command*, 3, USAHEC.

and 20,000 Filipino scouts) and the National Guard at 241,000 men, which was under the cap stipulated in the National Defense Act of 1920 and far less than the soldiers in the 1917 American Expeditionary Force. As a result, Marshall's described "will of the people" had effectively created a large and gelded ground force to protect the West Coast without sufficient means to operate at a peacetime level until well into the war.<sup>29</sup>

The army's response to these problems across the nation and in California was the creation of the Defense Command System.<sup>30</sup> The development of this system was shaped, in part, by the friction between the army's ground and air forces. Whereas ground has long been the heart of American military operations, the advent of aviation technology to both project American force and provide an umbrella of defense against incoming air attack had increasingly granted the Air Corps officer's greater latitude in the years leading into the Second World War. With the demonstrated effectiveness of airpower in the Nazi subjugation of Western Europe, American Air Corps officers pressured the General Staff for greater autonomy in planning and the deployment of air assets to protect the American homeland. They challenged the ground force's war plans. They challenged their inclusion in the Corps hierarchy. They also challenged the very ability of a ground commander to understand and effectively deploy the new aviation technology effectively in a combat situation. Instead, they repeatedly argued that the air force should be placed physically within a Corps's area of responsibility, but function autonomously from the ground forces and under the direct command of the War Department's aviation hierarchy. Others suggested dividing the country into military command zones. Still others,

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<sup>29</sup> Millis, ed. *War Reports*, 15.

<sup>30</sup> Stetson Conn and Byron Fairchild, *The Framework of Hemisphere Defense*, (Washington DC: Center for Military History, 1989), 31-34.



such Army Air Corps General Hap Arnold, argued that the entire country become a “Zone of the Interior,” with separate zones for Hawaii and Panama under GHQ Air Force.<sup>31</sup>

There was considerable merit to this argument. American planes would in all likelihood encounter an enemy force far ahead of ground forces. Their combat effectiveness was dependent on a training structure separate from the rest of the army. Moreover, once an enemy force was encountered, the limits of period communication and firepower reduced their combat options to autonomous action in keeping the enemy from reaching their brethren on the ground or slowing their advance with guns and explosives. In American homeland defense, the only crossover point between ground and army for command intervention remained early warning and intelligence gathering, which was already largely under the auspices of signal intelligence.<sup>32</sup>

No consensus on the jurisdiction of homeland based air power was reached until 1942, but, based on the 1940 discussions, Marshall directed the War Plans Division to address the army's logistical and administrative difficulties. On March 17, 1941, the War Department divided the entire continental United States into four administrative military zones, called the Northeastern, Central, Southern, and Western Defense Commands. Similar to the previous Army Corps design, each zone would have a unified army ground command structure and a single Army Air Corps commander. Unlike the previous iteration, responsibilities for training, supply, and peacetime internal security planning would, in theory, be left to the lower, corps-level commanders, who would be responsible to a regional Defense Commander. In turn, each Defense Commander was to be responsible for planning the defense of his zone, liaise with the Navy and other government entities on matters of military concern, and execute his own coordinated defense plans. In June 1941, Marshall also ordered the creation of a new operations

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<sup>31</sup> Stetson Conn, Byron Fairchild, and Rose Engelmann, *Guarding the United States and Its Outposts*, (Washington, D.C. United States Army, 1964) 27-28.

<sup>32</sup> Ibid.

command within GHQ with broad discretionary powers to plan and undertake military operations authorized by the Chief of the Army. The new order caused considerable friction between War Plans Division, which considered itself the leader in external military operations, and GHQ, which had heretofore acted with both an internal continental and foreign focus.<sup>33</sup> The War Department instructed the defense zone commanders:

In the continental United States a defense command is an Army strategic defensive area designated for planning purposes as a potential theater of operations of combined air and ground forces. The defense command includes the coastal frontier which is usually coterminous. Combined operations in the defense command area of air forces and ground forces of all arms under a single commander, the Commanding General, defense command, will be required if and when an invasion of the area becomes imminent. The commanding general, defense command, is responsible for peacetime planning for operations of ground forces under his command and for combined air and ground operations....<sup>34</sup>

The instructions were in keeping with both the perspective of the corps as field-armies-in-waiting and in the longstanding disposition of power to field commanders during wartime. Once activated in time of war, the West Coast army, in essence, would function as both continental protector and clearing house for military troops and material.

The distinction had serious implications that would not become readily apparent until well after Pearl Harbor. Where once the coastal gun emplacements had limited the defenders to the jurisdiction of the water's edge, the blanket power granted to the air corps and the new zones now placed the responsibility for a rapid response to attack anywhere in the country under the jurisdiction of the Army. Where once the military was limited to protecting the nation's borders, the Army now also became indirectly responsible for the internal security of the country,

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<sup>33</sup> Ibid., 31-33.

<sup>34</sup> Bronk, History of the Eastern Defense Command, 24, Box 1, Record Group 499 Records of the U.S. Army Defense Commands, NARA.

including possible sabotage and subversive actions by the Axis Powers. As the American military continued to suffer heavy shortfalls in supplies and ammunition, many would later argue that the security of private war-related industries were the responsibility of the American military. As many politicians would later argue, a vital national security asset could be also be argued to include the security of bridges, railways, docks, warehouses, airports, and the public utilities, without which war supplies could never reach the combat zones. The jurisdiction issues would plague both DeWitt and his Defense Command (DC) successor throughout the war. Moreover, they were the context in which West Coast politicians would successfully lobby for the removal of the Issei and Nisei.

Although Washington apparently remained oblivious to these implications, there is some indication that the DCs and their respective support staffs were already considering the new breadth and depth of their proposed wartime powers. One wrote,

....This letter visualized the Defense Command as a sort of preliminary command to an ultimate or possibly ultimate theatre [sic] of operations and termed it a territorial agency with an appropriate staff designed to coordinate or prepare and to initiate the execution of all plans for the employment of Army forces and installations in defense against enemy action in the portion of the United States lying within its boundaries.<sup>35</sup>

The military also had some historical precedent for taking bold action on the homefront. In the opening days of the Civil War, Abraham Lincoln had feared both the loss of Washington City and his access to the North through the border state of Maryland. When riots began in Baltimore over the transit of Union troops through the city's railway depots, Lincoln authorized the summary arrest and detention of civilians engaged in the disorder by military units. His Maryland field commanders, attached to Fort McHenry, arrested suspected violent rebel

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<sup>35</sup> Ibid.

sympathizers, including Maryland militiaman John Merryman.<sup>36</sup> Most of those seized by the Union army were detained under military law, which did not require the civilian guarantees of a civilian court, a writ of habeas corpus, or a trial by one's peers.<sup>37</sup> This precedent was also used in the "Indiana Treason Trials," in the conviction of John Milligan, and Department of the Ohio Military Governor General Ambrose Burnside's arrest of Southern Copperhead Clement Vallandigham.<sup>38</sup> Each of these cases was interpreted by the Supreme Court to fall within the constitutional allowance of Article I, Section 9, which specifies that "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."<sup>39</sup> Each of these cases also imposed greater limitations on free speech and suppressed public assembly until they were ruled unconstitutional by the Supreme Court after the war had ended.

Although some began to theorize Roosevelt might be able to circumvent these restrictions with an Executive Order as early as 1942, most DCs and their staff were more preoccupied with the strictures of the *Posse Comitatus Act*. Latin for the "right to have an armed retinue," the legislation was designed by the United States Congress at the end of Reconstruction to function as an extension of English common law. In this capacity, it prohibited American military action to again be taken against civilians within the boundaries of the United States. In fact, the law expressly forbade the American military from enforcing civil law. The law, however, did not apply to the National Guard, which had been brought under the American Army's authority in 1940. Furthermore, the DCs actually feared being empowered to oversee American civilians and

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<sup>36</sup> *Ex parte Merryman*, 17 F. Cas. 144, No. 9487, (C.C.D. Md. 1861).

<sup>37</sup> Judge Eugene R. Sullivan in "Some Thoughts on Justice in America's Future Wars" in Eric Haney and Brian Thomsen, eds., *Beyond Shock and Awe: Warfare in the Twenty-First Century*, (New York: Berkley, 2007) 109-125.

<sup>38</sup> *Ex parte Milligan*, 71 U.S. (4 Wall.) 2 (1866); Benn Pitman, ed., *The Trials for Treason at Indianapolis: Disclosing the Plans for Establishing A North-Western Confederacy*, (Cincinnati: Moore Wilstach & Baldwin, 1865) 217; *Ex parte Vallandigham*, 68 U.S. (1 Wall.) 243 (1864).

<sup>39</sup> United States Constitution, Charters of Freedom, Library of Congress, Internet Link: [http://www.archives.gov/exhibits/charters/constitution\\_transcript.html](http://www.archives.gov/exhibits/charters/constitution_transcript.html), Accessed December 11, 2011.

within the American homeland. Several attempts were made by General John DeWitt on the West Coast and General Hugh Drum on the East Coast to avoid blanket responsibility over their zone's civilian populations.<sup>40</sup>

The March creation and June expansion of the Western Defense Command, consisting of California, Oregon, Washington, Nevada, Idaho, Arizona, Utah, Montana, and Alaska, also elevated General DeWitt to the level of Defense Commander. Under his command stood Fourth Army, the Second and Fourth Air Forces, and the Ninth Corps Area. Due to his previous status and a lack of available administrative staff, DeWitt retained direct command of Fourth Army out of the Presidio in San Francisco Bay. This restructuring served as a final impetus to the outgrowth of Ninth Corps from Fourth Army, allowing Fourth Army to assume an active combat posture in defense of the West Coast without having to share training responsibilities with Ninth Corps. Although technically in charge of the Air Corps elements within his zone, he was barred by General Staff agreement with the Air Corps from infringement on the air forces' autonomy. The Air Corps was simply to be considered by DeWitt units moving through the area, which could be requested if an emergency warranted an aviation response.

Similarly, DeWitt could not appropriate or impede the progress of military supplies or personnel through his zone to a combat theater. In fact, once war was declared, DeWitt was strongly encouraged by the War Department to defend every military installation and aid every transportation conduit within his zone deemed by the Secretary of War vital to the war effort.<sup>41</sup> Furthermore, although only the president could declare martial law, he was also granted by the General Staff the authority to raise or lower the wartime threat condition level for his zone, secure private property for military use, and, where DeWitt deemed necessary, close some areas

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<sup>40</sup> The background and reasons for this will be discussed at greater length in Chapter 4 and 7.

<sup>41</sup> Bronk, History of the Eastern Defense Command, 24, Box 1, Record Group 499 Records of the U.S. Army Defense Commands, NARA.

to civilians not retaining a specified level of clearance. These powers were considered by the War Department to be consistent with the DC's duties as the wartime manager of resources that would be sent through his zone to the Allies' forward bases in Pacific Theater.

The hodgepodge of military bureaucracy engendered still more difficulties for the military on the West Coast, which only became apparent with the onset of war. First, while the corps system limited competition between commanders, it deprioritized the allocation of supplies for the defense of the coasts in favor of field armies mobilizing for offensive operations abroad, effectively opening up the corps, now rooted in one place, to the cannibalizing of troops and material for armies actually being rotated overseas . Secondly, the large territory assigned to each corps's protection ensured porous defensive borders, even when the Ninth Corps was at full strength. Third, the structure, dependent on a steady supply of funds and equipment, was slow to adapt to the changing needs of wartime administration. The administration's re-prioritization of incremental troop increases over mass conscription and equipment precipitated a constant “brain drain” of trained troops and seasoned officers for more urgent duties. Fourth, the stratified structure did not allow for the clear, quick, and consistent responses to specific corps needs, including clothing, equipment, and, most importantly for the Western Defense Command, policy coordination.

The new Western Defense Command and the corps system upon which it was based were originally designed to act as an arrow pulled from the bow and shot at an enemy. It was never intended to function as a clearing house for army administration, personnel, and equipment for the duration of a war. Yet, by 1941, the modifications Marshall and others made to the original war plans demanded this tiny paper army accomplish a number of duties beyond its original design specifications. On one level, the separation of training and related matters from purely

defense issues was a theoretical achievement for the army. In practice, the cosmetic change became a drain on an already limited staff. This problem was made still worse by the addition of even more duties placed upon the same command as part of the Western Defense Command. Moreover, only a handful of WDC staffers initially gained a full-time salary for their administrative efforts, including the chief of staff, the heads of the General Staff sections, and an Adjutant General.<sup>42</sup> Additional staff had to be added later. Now there were two administrative elements working in one zone with two separate command duties and only one part-time administrative staff to share between the two.

These problems, likewise, extended to the units in the field under DeWitt's direct command. No soldiers were assigned to WDC duty prior to December 11, 1941. Hence, General DeWitt's WDC staff was also the staff of the Fourth Army. Worse, now that Ninth Corps was both exclusively dedicated to training and suffering its own loss of experienced personnel, he would have made a Faustian bargain had he considered pulling knowledgeable people from outside Fourth Army. One source could have eased DeWitt's administrative troubles, but, in keeping with the original implication for Pacific Coast corps army commands, the War Department considered the Western Defense Command an autonomous, island-like entity capable of solving its own administrative problems. Finally, the WDC remained as sorely short of defensive equipment as it had prior to being activated. In this new hierarchy and given the War Department's more immediate concern over Germany rather than Japan, the peacetime WDC could not justify asking for more planes, anti-aircraft guns, coastal cannon, or men than were already allocated. As the United States had not been directly threatened with invasion by an organized hostile force since the War of 1812, few in civilian and military circles since the

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<sup>42</sup> The History of the Western Defense Command, Volume I, 1, USAHEC.

civil war, on the eve of December 7, 1941, had even considered the possibility of a large-scale foreign-born war fought on American soil. They simply had to make do with what they had.

By the summer 1941, the transformation to a fully modern American army had finally been achieved by the Army Chief and the General Staff with the confluence of troops and administration. According to Marshall, the second phase of the mobilization for war in mid-1941 “was marked by a growing national consciousness of the seriousness of the international situation, and by the ready appropriation of billions of dollars for national defense. It witnessed the peacetime mobilization of citizen army upon a wartime scale in the establishment of scores of great military...training centers.”<sup>43</sup> To relieve some of the burden of civilian control implicit in the Defense Commander's (DC) standing orders and exercise a calming influence on the general populace, FDR established the federal Office of Civil Defense (OCD). Created by Executive Order 8757 on May 20, 1941 (and later amended by Executive Order 9134 dated April 15, 1942), OCD was given by the president an educational mandate to prepare the civilian populace for different wartime situations through pamphlets, lectures, private meetings with local governments, and public demonstrations. Topics covered by OCD included procedures for dealing with air raids, instructions for finding safe fallout shelters, protocols for handling unexploded bombs and attacks with chemical weapons as well as rationing, instructions for growing home gardens, and creating spotter and block warden organizations in every major city. As a result, a clear line was drawn by the administration and the Army between the outward coastal-oriented military and the interior-looking civilian organizations.<sup>44</sup>

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<sup>43</sup> Millis, *The War Reports*, 15.

<sup>44</sup> “Headquarters for Civilian Defense Set,” *San Francisco Examiner*, December 1, 1941, p. 16; “Rossi's Emergency Proclamation,” *San Francisco Examiner*, December 8, 1941, p. 6; “Civic Defense Plans Rapidly Set in Motion,” *Los Angeles Times*, December 8, 1941, p. 6; “Raid Protection Advice Offered by LaGuardia,” *Los Angeles Times*, December 10, 1941, p.1; “Southland War Efforts to be United Front,” *Los Angeles Times*, December 11, 1941, p. 2; “Cullenward Resigns as SF Defense Director,” *San Francisco Examiner*, December 30, 1941, p.1.



The first test of the Western Defense Command and the U.S. Army occurred on November 27, 1941. In a secret radio communication, Number 242, the War Department advised the commanding general that negotiations “appeared to be terminated” and that “Japanese future action was unpredictable, but that hostile action was possible.”<sup>45</sup> The communication further ordered the West Coast activation of the Joint Pacific Frontier Defense Plan (Rainbow-5), U.S. Defense Plan 2 (ABC-22), and the Joint Canadian –U.S. Pacific Coastal Frontier Defense Plan 2. Dewitt was ordered to take measures to prevent a surprise attack, but that “the civilian population should not be alarmed.”<sup>46</sup> Upon receipt of the encrypted radio message, General DeWitt placed his military units throughout the region on alert. As per the contingency plans, guards were posted at all harbor entrances, at least one gun battery at every port was brought to action readiness, and sentries were dispatched to potential military targets to guard against sabotage. Six infantry battalions were also made available by Secretary of War Henry Stimson for transport from the Ninth Corps Area. Once he received confirmation that his orders had been carried out, DeWitt reported his zone's compliance to the War Department and urgently requested ammunition and additional bombers, as both “were critically short.”<sup>47</sup>

On December 7, 1941, the members of the Western Defense Command, still sitting on standby, received word that a previously undetected Japanese carrier fleet attacked the headquarters of the Pacific Fleet at Pearl Harbor, decimating the American fleet at anchor in the harbor and killing approximately 3,000 Americans.

In this first wartime test of the new American army system, the attack on Pearl Harbor appeared to have found the American Army on the Pacific Coast at a full state of readiness. Records indicate that DeWitt had never ordered the Western Defense Command to stand down

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<sup>45</sup> The History of the Western Defense Command, Volume 1, p. 10-11, USAHEC.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

from the preceding alert. In fact, two anti-aircraft units, the 101<sup>st</sup> and 37<sup>th</sup> Coastal Artillery (CA) Brigades, were already on training exercises in San Francisco and Los Angeles when DeWitt received word of the attack. Still, there was reason to be concerned. With the exception of the December 7 alert, DeWitt had received no further supplies or standing orders from Washington since the November communiqué. His active coastal guns were too few to deal with Japanese Admiral Isoroku Yamamoto's Pearl Harbor attack fleet, which had vanished after the attack as quickly as it had appeared. Additional coastal guns were on back order but were not due to arrive for months. Likewise, he had neither sufficient numbers of anti-aircraft batteries nor planes to fly even a partial combat air patrol of the coastline. Still, these deficits went unnoticed by the surrounding civilian populace and unaugmented by the War Department. On the surface, it seemed that the Western Defense Command appeared capable of meeting the challenge of this new and unexpected war on paper.<sup>48</sup>

Appearances, however, were deceptive. Chinks were already appearing in the armor of America's defense of the West Coast. Over the following months and years, the substantive structural deficiencies in this patchwork system would become apparent. In the opening minutes of the war, the West Coast military had responded to the news of war by following preset plans, but there were no plans to counter the actions of the Japanese military at Pearl Harbor and thereafter. Even if the soon-to-be-activated Western Defense Command did have a plan of action, it did not have the resources with which to meet the new threat. Encumbered by a multi-layered bureaucracy, it had struggled to handle a kaleidoscope of duties with minimal peacetime staff. Now at war, the West Coast military elements under General John DeWitt were exposed, over-committed, and grossly understrength. They were their own crisis waiting to happen.

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<sup>48</sup> Ibid.

### **Chapter Three: Fear and Insecurity at the Dawn of the Second World War**

In carrying out their Pearl Harbor mission on December 7 and the subsequent invasion of America's Philippine protectorate on December 8, 1941, the Japanese empire had unspooled over a decade of American continental defense planning in a matter of hours. With the fleet crippled and most of America's Pacific island fortifications now fighting behind enemy lines, the West Coast of the United States was in a vulnerable position militarily and socially. The sluggish progress of rearmament had left the army on the Pacific Coast ill-equipped, under-strength, poorly organized, and in need of civilian support. In contrast, America's Pacific expansionism had brought an industrial boom to the region in civil and military contracts as well as a civilian expectation of the American military to keep their enemies far from home. Instead of rising to the occasion as a united force, this mismatch in resources and preconceptions nearly severed their one-time strong civil-military relationship, promulgating a climate of fear and insecurity on the West Coast. By the end of December 1941, the Army's ceding of responsibility for the defense of the land behind the coastline had both isolated the military from the civilian government and spawned the toxic conditions for the eventual Japanese internment.

Since the suppression of the Philippine Insurrection in 1902, the United States of America had built a national military defense strategy predicated on establishing a Pacific Island buffer zone far away from the American coastline. According to military historian Brian Linn, the Army had “recognized the danger posed by Japan very early, and in policy studies, military exercises, and war games, officers foresaw events of 1941 with sometimes uncanny accuracy.”<sup>1</sup>

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<sup>1</sup> Brian Linn, *Guardians of Empire: The U.S. Army and the Pacific, 1902-1940*, (Chapel Hill: University of North Carolina, 1999), 251.

Over the next several decades, the army would generate different plans to cope with their severely limited resources. The branches would pool their service resources. The military would liaise with their British and Canadian allies. The American forces would also attempt to deter enemy aggression against the West Coast by planning to interdict threats in the middle of the Pacific Ocean.

The threat assessment drove both American army and navy branches to develop an elaborate network of island defensive fortifications, pacification policies, and naval patrols, which were designed to draw potential Japanese military aggression into a series of limited fleet engagements and island siege campaigns. In theory, the Japanese would have been bled by the American navy and stalemated by the army's fortified Philippines and Hawaiian island ramparts long enough to call for reinforcements from Pacific Command at San Francisco, California. The responding force would join the fleet screening the enemy from advancing on the West Coast staging grounds, and the combined Pacific military force would neutralize the aggressors. As war approached, the American military revised the Pacific war plans to reflect shifting diplomatic relations, but they never anticipated Japan's response to their moves. In 1940, President Franklin D. Roosevelt placed the Pacific Command and the bulk of the Pacific fleet at Pearl Harbor, Hawaii, to deter further Japanese aggression in Indonesia.<sup>2</sup> In 1941, Roosevelt also linked the Pacific Command war defense plans with the British in War Plan Rainbow-5, believing the two powers could keep the Japanese at bay in the event of war. The president and his advisors could not have been more wrong on either move.

Contrary to the administration's attempted military coercion, the Japanese interpreted the move as a hostile act. Shortly thereafter, Japanese Admiral Isoroku Yamamoto designed a

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<sup>2</sup> Measures and Operations to be Undertaken by the U.S. Fleet, Op-12B-2-McC, October, 11, 1940, Secret, Part 1, Numerical File Archive, Reel 2, U.S. Commission on Wartime Relocation and Internment of Civilians.

military response to neutralize the perceived American threat. In late November 1941, the Japanese response, a specially-trained aircraft carrier task force, put to sea and eluded detection until the first bombs began to fall on Pearl Harbor, the very same naval base Roosevelt had intended to be a deterrent. Hours later, the Japanese further demonstrated their resolve by attacking Guam, Wake Island, and Malaysia, and by sending a large invasion fleet of Japanese troop transport ships to the Philippines. By the end of the week, every major American protectorate in the Pacific had come under attack by the Japanese. As a result, in accordance with Rainbow-5, the Roosevelt Administration was forced to cede control of most of the Pacific Ocean to the Japanese for the next several months until a better strategy could be devised, leaving the West Coast military to lead, in effect, their own defense.

In 1941, the Western Defense Command was not capable of defending itself from either a comprehensive attack, like Pearl Harbor, or a small squadron of raiders. The Alaska defense had only a token set of buildings, an airstrip, a small radar station network and a token allowance of three hundred soldiers at the time of the attack.<sup>3</sup> According to Secretary of War Henry Stimson's own notes, "[T]oday, there are not more than two four-engine bombers in the whole of Alaska."<sup>4</sup> They were still an estimated several months away from being rated a capable observation post by the Secretary, and it would take several months of additional improvements before the state would be considered by DeWitt capable of mounting an autonomous defense.

The military in the lower West Coast states were in a similar comprehensive state of disrepair. This administrative unpreparedness can be best examined by looking at the region's lack of administrative support, Army logistics, and inter-service coordination.

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<sup>3</sup> The History of the Western Defense Command, 1 and 13, USAHEC.

<sup>4</sup> Defense Notes, 1941, p. 125, Reel 7, Stimson Diary.

First, although the attack on Pearl Harbor had neutralized the military's planned mid-Pacific defense of the homeland, the West Coast army failed to adapt their managerial perspective from a rear echelon administrative element to a frontline defense force in a timely fashion. As the War Department had not yet granted General John DeWitt overall command of either the army or the West Coast military, his level of authority was limited to the direct command of Fourth Army. Matters were further complicated by the Roosevelt Administration's peacetime sluggishness to fill out the army and navy's theater forces with the personnel originally estimated as necessary.

In one War Department memo, Secretary of War Stimson explained to the president these difficulties in peacetime, referring to the personnel crisis of pilots versus planes. "These planes....must be manned with crews," he wrote, "trained first in individual operations and then in group operations, before they become the vital elements of this pool of power. The process of commissioning a plane is not unlike commissioning a battleship, and you know how long that takes."<sup>5</sup>

Unlike Fred Funston and the aftermath of the San Francisco earthquake, DeWitt was wholly unprepared to handle a crisis affecting a single West Coast city let alone an entire coastline. He had only a small resource pool from which he could augment his now wartime staff. This pool shrank further when one considers the limiting factor of time to train new soldiers to accomplish vital administrative tasks. Rather than lose time or risk mistakes, it is, therefore, little wonder that DeWitt maintained a very small, but reliable office staff for the first few weeks of the crisis. This deficit in experienced personnel was also felt in the field. Vital military posts, already understaffed, were being guarded by equally understaffed security forces sharing responsibility with the other branch of service. This situation was only mitigated several

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<sup>5</sup> Letter from Henry Stimson to President Franklin D. Roosevelt, October 12, 1941, p. 149, Reel 7, Stimson Diaries.

days later by the War Department's activation of the Western Defense Command, allowing DeWitt access to a greater pool of soldiers, and by the arrival of additional troops sent by the War Department approximately two weeks later.

Second, the WDC's command level administrative problems spilled over into logistical support for the zone's new wartime status. By moving the fleet to Hawaii the preceding year, Lieutenant General John DeWitt was now forced to rely on the navy's small harbor defense craft, naval aviator squadrons, and service vessels transiting through California's harbors to detect and interdict enemy forces within range of the coast.<sup>6</sup> His limited sway over the zone's army aircraft, likewise, might have been a sufficient deterrent to raiders. War Department records of airplane contracts suggest that DeWitt should have had enough forces to defend against a full naval attack, but Secretary of War Stimson's own diaries reveal that the Roosevelt Administration had been pulling American planes from the Army Air Corps to resupply Russia and Britain. For months, Stimson had been trying to hide fighters and bombers for exclusive American use in the Pacific Islands, the Panama Canal, and inside the United States, only to have the president order them sent to their Allies.

“I am the only man in the whole Government,” he wrote on August 4, 1941, “that is responsible for the difficult decision of whether we can give up planes or other munitions with safety to our own defense [sic].”<sup>7</sup>

By October 1941, Stimson had apparently given in to the president and administration advisers' belief that the war in Europe was a far more pressing concern than homeland defense. “I am rather discouraged,” wrote Stimson on October 5, 1941. “He [FDR] is entirely in the hands of people who see only their side of the other nations and who are perfectly certain that they

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<sup>6</sup> Bronk, *The History of the Eastern Defense Command*, 31, NARA.

<sup>7</sup> “Bad Judgment of Knudsen in Jeep Contract”, Meeting Notes, August 4, 1941, p. 2, Reel 7, Henry Stimson Diaries.

cannot, and perfectly certain that eventually we will have to fight and that this method of nibbling away at our store of weapons is reducing our weapons down to what I fear is a dangerous thing.”<sup>8</sup>

The rerouting of planes on the West Coast through Alaska for Russia left DeWitt's area of command largely without the ability to defend itself from the air. In fact, DeWitt did not have enough aircraft at Air Interceptor Command to provide combat air coverage for even a single city throughout the month of December 1941.<sup>9</sup> In order to compensate for the lack of planes, his few anti-aircraft artillery batteries were folded into the command of the Air Interceptor Command for each district on December 12, 1941 by the General Staff.<sup>10</sup> This necessary move towards greater combat efficiency also engendered another problem. As GHQ had not considered the WDC to be a prewar priority, the West Coast remained seriously deficient in available anti-aircraft batteries.<sup>11</sup> For example, on December 7, eight 12-inch railway mortars sent to Fort Stevens, of which four were later positioned on Brown's Point to protect the Oregon-Washington border from Japanese attack.<sup>12</sup> The same was true for anti-submarine weaponry. On June 21, 1942, a Japanese submarine fired a half dozen shells into Fort Stevens, causing little damage. Army personnel returned fire but failed to inflict damage on the enemy before the boat submerged and fled.<sup>13</sup> Still, the attack had caused psychological damage. It underscored the vulnerability of the West Coast to raids for both the military and the resident civilian populace.

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<sup>8</sup> “FDR Again Asks for More Bombers,” Meeting Notes, October 15, 1941, Wednesday, p.134, Reel 7, Stimson Diaries.

<sup>9</sup> The History of the Western Defense Command: Appendix 5, 1, USAHEC.

<sup>10</sup> History of the Army Ground Forces, p.12, General Staff, G2 Section, Subject Correspondence file, 1942-1945, Box 37, RG 337 HQ Army Ground Forces, NARA.

<sup>11</sup> Telephone Conversation between General John Dewitt and Admiral John W. Greenslade, Headquarters, 12 Naval District, San Francisco, December 7, 1941. Folder 3.84.4 Volume I (AG Records Files), Box 14, RG 499 Records of the U.S. Army Defense Commands, NARA.

<sup>12</sup> The History of the Western Defense Command, Volume 8, 3, USAHEC.

<sup>13</sup> The History of the Western Defense Command, Volume 4, 18, USAHEC.



When the attack on Pearl Harbor rendered the American military's plans moot, the army was now forced to cope with their own limited resources to fight a flawed defensive action. First the army would maintain vigilance on along the Pacific coastline. With limited resources, they would turn to the West Coast civilians to provide for their own internal defense, unaware of the amateurish state of the civilians wartime readiness. They would also trust that both the untrained civilian and inexperienced military forces would demonstrate competent and professional conduct. Instead, their actions were far from those the WDC commander desired and, actually contributed to both the vulnerability of the region and needlessly heightened domestic tensions.

For the first time since the Mexican War, Californians were on the frontlines of a world-spanning war, creating a vacuum, which would be eagerly filled by the civilian population's fears and prejudices. They would see the military as either unwilling or incapable of providing for their lasting defense. In response to trouble, they would return to their militarization roots, which, without military guidance, would take the shape of vigilance committees and the abuse of political power. Lastly, unable to find the real source of their insubstantial insecurity, the West Coast citizenry would look for and find scapegoats in which, like an Old Testament sacrificial lamb, invest all of their fears and effectively kill. In this case, the prejudiced Californians would socially, economically, and politically "kill" the West Coast's Issei and Nisei by forcing the perceived unwilling military to remove the argued threat to their security.

Unknowingly in parallel, the military attempted address their own defensive shortcomings. Since the War Department had yet to activate the Western Defense Command in December 1941, the Army and Navy on the West Coast shared joint command of the region and individual command over their forces (the Army Air Corps, as per previous agreements, remained under the direct control of the Washington, D.C.-based Air Corps hierarchy). Yet, the

Army and Navy had also been ordered by the president to work together before taking any regional action. This resulted in a considerable loss of time in the opening hours of the war, as the Army and Navy's joint planners held meetings to implement their established war plans. As the plans were no longer relevant, subsequent meetings were held to hammer out new agreements.

According to one source, these inter-service meetings largely devolved into jurisdictional arguments, with each branch “trying to fix responsibility” for security gaps on the other service.<sup>14</sup> For example, when the Navy claimed they were unable to detail a patrol boat to stand watch over the mouth to Puget Sound, the joint board negotiated several permutations among the branches and the Coast Guard before they eventually conceded neither side could spare a seaworthy vessel and, consequently, agreed to order all ships transiting the sound to take on military personnel to pilot the craft up the waterway to a berthing spot.<sup>15</sup> Similarly, Northern, Central, and Southern Sector Commands lacked the authority to execute joint plans or even to coordinate with the other branch at a given site. The forces they did have on hand were ill-prepared to carry out their instructions.

“Too often,” wrote one officer, “the commanders concerned felt that a plan on paper was sufficient for the defense of their installations. Most camp post and stations were organized originally with the thought in mind of only providing internal protection and as a result the staff selected was trained in administration with very limited knowledge of military tactics.”<sup>16</sup> Over the initial months of the war, such problems continued to be reoccur on a daily basis, which, in effect, compounded the WDC's already considerable logistical training problems. The situation was finally resolved by a War Department restructuring in the spring of 1942.

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<sup>14</sup> The History of the Western Defense Command: Volume 8, 43, USAHEC.

<sup>15</sup> Ibid.

<sup>16</sup> The History of the Western Defense Command Volume 8, p. 43, USAHEC.

On December 7<sup>th</sup>, 1941, these deficiencies became a serious wartime problem for General DeWitt in his own plans for an active defense of the Pacific Coast from Fourth Army alone. First, his own orders held contradictions. As part of the field army involved in training, his standing orders were to ensure that each soldier received basic and mobilization training, but he was also responsible for simultaneously “preparing for the possibility of being invaded, at the same time preparing forces that could take the offensive.”<sup>17</sup> In the entire West Coast region, the Army had barely enough troops for a regimental combat team of one infantry regiment supported by one light field artillery battalion for each subsector and city of the zone.<sup>18</sup> Unlike the civilian militias of the nineteenth century, DeWitt also could not count on a mass of civilians to fill his ranks at a moments notice. Second, while civilian cable and phone lines continued to function unimpeded, DeWitt’s own San Francisco region's communications among harbor defense positions and the Presidio continued to be problematic. Harbor control was coordinated through a series of fire control and post switchboards. Originally the PBX sector headquarters was connected by circuits manned by two Seventh Corps wires at San Jose and lines serving the Presidio. There were no direct teletype circuits, and radio units were scarce for the first few weeks of the war.<sup>19</sup> As a result, DeWitt was overwhelmed by responsibilities and underwhelmed by the resources needed to accomplish them.

The one part both the West Coast military and Washington, D.C. could agree upon, however, was the need to protect the region's civilian population and business infrastructure. Although the Great Depression had slowed the growth of the West Coast, California saw a heavy

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<sup>17</sup> The History of Army Ground Forces, p. 6-7, USAHEC.

<sup>18</sup> The History of the Western Defense Command: Volume 8, 3; According to period Western Defense Command documents, the War Department failed to adequately address this key deficiency for weeks after the Pearl Harbor attack. The History of Western Defense Command: Volume 1, p. 1-9, USAHEC.

<sup>19</sup> The History of the Western Defense Command: Volume 8, 39, USAHEC. Eventually, the poor communications facilities became such a problem that WDC headquarters was transferred to a nearby hotel, whose switchboard was able to sustain both the traffic of communications and the limited training of the staff.

increase in the number of military contracts in the twentieth century. California during the Second World War alone received more than sixteen billion dollars in military contracts and almost three billion dollars of federal aid for military and industrial facilities.<sup>20</sup> By 1940, West Coast shipyards were deeply engaged in military construction and repair of battle-damaged Allied vessels. For example, at the Mare Island Navy Yard, crews repaired British naval vessels damaged in the Mediterranean, including the *Liverpool*, the *Orion*, and the *Warspite*.<sup>21</sup> Likewise, the Todd Shipyard increased the production of several American military vessels under peacetime contract, including Richmond's thirty cargo carriers for the British and the erection of a second yard at Richmond to build twenty-four C-3 steamers for the U.S. Maritime Commission.<sup>22</sup> The influx of military and merchant business contributed to a revitalization of West Coast infrastructure, including the reconstruction of the Tacoma Narrows Bridge.<sup>23</sup> Spurred by these developments, other businessmen were looking to invest in creating a large state-of-the-art naval shipyard.<sup>24</sup> Such military improvements have led some historians to label the region “the preeminent Garrison State” of the era.<sup>25</sup> At the same time, as we shall see in chapters four and five, these new military facilities, which brought jobs and economic growth to the West Coast, also brought a measure of perceived and real wartime danger to those in the surrounding community. As a result, the military’s California improvements would become yet another factor at play in the ladder of escalation, which ended in the wartime internment of West Coast Issei and Nisei.

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<sup>20</sup> For the sake of this exercise, the Second World War period is considered to be 1939-1945. Paul Rhode in “California in the Second World War: An Analysis of Defense Spending,” in Roger W. Lotchin, ed., *The Way We Really Were*, 94.

<sup>21</sup> “Battle-scarred Ships Find Haven in SF Bay,” *Oakland Tribune*, September 21, 1941, p. 9.

<sup>22</sup> “U.S. Shipping Board Seeks 2 More Ways at Richmond Yard,” *Oakland Tribune*, June 19, 1941, p. 18.

<sup>23</sup> “Doomed Span to Be Rebuilt For Defense,” *Oakland Tribune*, November 8, 1940, p. 49.

<sup>24</sup> “Harbor Site Sought for Huge Naval Shipyard,” *Los Angeles Times*, November 26, 1941, p.1.

<sup>25</sup> Lotchin, ed., *The Way We Really Were*, 2.

There is also ample reason to believe the military expected the West Coast's residents to provide a civil defense supplement, thereby indirectly providing the very tools for civilian wartime abuse against the Issei and Nisei. With the expansion of American dominion over the eastern Pacific Ocean in the years preceding the Second World War, Californians, Oregonians, and Washingtonians identified ever more closely with the American military. Like most American urban centers in the First World War, the state's cities often held large public celebrations in support of National Guard units mobilized as a mutual boost to urban and military morale. The movements of training units were frequently covered in general and feature news articles in the local press.<sup>26</sup> In fact, considerable effort had been made by smaller cities to obtain military personnel to be showcased at public events, including for July Fourth parades.<sup>27</sup> As in other areas of the country, on the West Coast private and municipal entities also organized efforts to support community members called to military service, including the creation of relief for dependents of guardsmen as well as the distribution of finances and supplies.<sup>28</sup>

"There is the desire," wrote one Oakland journalist, "to express in some tangible manner the feeling that the militamen are to be praised and rewarded for their willingness in their country's service."<sup>29</sup>

During the interwar years, these nationalist and economic forces also reshaped the West Coast culturally, encouraging civilian families to identify with and support the military in different ways. The New Deal transformed American anxiety, helplessness, and isolation over the Great Depression into a unifying force through militarist rhetoric, identifying the Depression as an enemy and both the administration's legislation and the populace as an invading army. The

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<sup>26</sup> "Student Officers to Learn About Artillery," Bakersfield Californian, June 26, 1917, p. 7.

<sup>27</sup> "Company F May Take part In Fourth of July Parade," Woodland Daily Democrat, June 6, 1926, p. 1; Northwest is Ready for 4th", Centralia Daily Chronicle, July 3, 1919, p. 5.

<sup>28</sup> "Pride in Youth of East Bay Will Be Shown," Oakland Tribune, September 7, 1917, p.1.

<sup>29</sup> "Relief Committees Ready, Civic Aid for Guardsmen," Oakland Tribune, July 4, 1916, p.1.

administration approached Civil Defense in the same manner by planning meetings, using wartime rhetoric, and bringing different interest groups together.<sup>30</sup> Still, for the most part, as shall be illustrated in this and the following chapter, many West Coast residents failed to consider matters of civil defense until the onset of war. As a result, this lack of preparation would catapult long simmering racial tensions into full blown racial hatred once the West Coast residents could find purchase for their antipathy in an overtly threatening situation.

Unlike other areas of the country, California's climate of militarization was receptive to Civil Defense rhetoric and other civil-military programs for adults and children. Military and community leaders sponsored several programs for war preparedness geared toward children. For example, community programs enabled high school students to enter military posts and witness weapons demonstrations.<sup>31</sup> Eleanor Roosevelt, as Co-director of the National Office of Civil Defense, recommended children be taught the precautions for air raids, including identifying bomb types, alerting authorities, and finding shelter for refugees.<sup>32</sup> This climate also gave status to adults who volunteered as air raid and block wardens, who received paramilitary powers to enforce air raid regulations and other benefits, such as waivers for vehicular travel and parking for those involved in essential war duties.<sup>33</sup>

In a new twist on the West Coast militarization of the nineteenth century, civilian participation in military activities took a new form in the Second World War. For example, Civil Defense workers were conceptualized by the national Office of Civil Defense (OCD) as a supplement to the local police for war emergencies. During air raids, they were designed by national OCD leaders Fiorello LaGuardia and Eleanor Roosevelt to oversee the suppression of

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<sup>30</sup> Charles Dorm, *American Education, Democracy, and the Second World War*, (New York: Palgrave MacMillan, 2007) 30-31.

<sup>31</sup> "High School Students Will See Weapons Demonstrated," *Los Angeles Times*, November 1, 1941, Part II, p.8.

<sup>32</sup> "Raid Protection Advice Offered by LaGuardia," *Los Angeles Times*, December 10, 1941, p. 10.

<sup>33</sup> "Dullea New Chief of Civil Defense," *San Francisco Examiner*, January 1, 1942, p. 1.

light during black outs, direct traffic and pedestrians away from fighting, care for the civilian wounded and deal with falling ordnance. They were also supposed to oversee air raid sirens, present civil defense lectures, monitor emergency provisions, and hand out gas masks. By 1943, one in ten Los Angeles civilians was an active participant in the state's civil defense.<sup>34</sup> The involvement in the national defense was also meant to calm war “jitters” and everyday anxiety, since “the war was real and nearby.”<sup>35</sup> Civil defense voluntarism was designed to be seen as a vital contribution to the war effort on par with war industry work and military service.<sup>36</sup> As a result, civilians could help support the army in a greater capacity than the militias had in the Mexican War by maintaining the health and safety of the civilian populace in a crisis and thereby allowing the army to function as the seaward facing defenders for their mutual protection.

While most historians have maintained that Civil Defense and related programs unified the country at the local level, they actually fostered several deleterious prewar assumptions among the public on the West Coast. By their initial reactions to the attack on Pearl Harbor and the subsequent air raids over the West Coast, most Californians earnestly believed, that:

- 1) The military had the necessary resources at their disposal to protect the West Coast
- 2) The Navy would shield West Coast from the enemy's fleets
- 3) The Army's coastal watch would screen enemy ground forces and saboteurs from landing on American soil
- 4) The military would promptly neutralize those individual enemy invaders who might penetrate the frontline of America's defenses
- 5) The military would maintain a close relationship with the civilian government to ensure coordination with the war effort and public safety

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<sup>34</sup> Lotchin, *The Way We Really Were*, 14.

<sup>35</sup> *Ibid.* 14.

<sup>36</sup> Working the Pot-LaGuardia Notes, August 12, 1941, p. 21, Reel 7, Stimson Diaries.

6) The federal government would ensure a safe and secure environment for their West Coast contractors by underwriting each state's planned security measures.

They were sorely mistaken and the resulting fears of imminent enemy attack by air raid, espionage, and sabotage was already reshaping West Coast security deficits into a forum for civilian fears and prejudices.

Unbeknownst to the general populace, on the afternoon of December 7, 1941, the American military presence on the West Coast was shocked by news of the attack in Hawaii and their inability to carry out their duties as per Rainbow-5. Once General John DeWitt received confirmation of the attack from the War Department, he ordered the activation of IX Army Corps (3<sup>rd</sup> and 41<sup>st</sup> Divisions) in the Northwestern Sector (Washington and Oregon), the 7<sup>th</sup> Infantry Division in Northern California, and III Army Corps (40<sup>th</sup> Division) in Southern California.<sup>37</sup> Yet, these units were understrength and still in training. Ironically, the Pearl Harbor attack had serendipitously coincided with training maneuvers for several of Fourth Army and Ninth Corps's Army and National Guard elements. The early war warning had prompted the Navy and Coast Guard to mine California's harbors, deploy coded signal buoys, and patrol the coasts with torpedo boats. Craft moving through the mouth of the harbor were piloted by military personnel familiar with the layout of the mines. The patrols and the zone's few anti-aircraft guns were visible indications of security and prudent defenses measures for the residents of Los Angeles and San Francisco.<sup>38</sup>

The military units, like their civilian counterparts, were incapable of providing more than token resistance to enemy forces, but they did offer DeWitt one dubious advantage. They were a

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<sup>37</sup> The History of the Western Defense Command: Volume 1, 12, USAHEC.

<sup>38</sup> The History of the Western Defense Command: Volume 8, 19, USAHEC. This effort was only partially successful, as the mine layers also laid far short of the minimum number of mines needed to protect the channel. These operations were conducted in "extremely bad weather conditions during the months of December and January," and one mine layer, L-74, ran against a reef and sank in heavy seas on December 14, 1941. Ibid.



“show of force”, which instilled confidence in the general public that they were safe, when, in fact, they were not. At the commencement of hostilities, Army and Navy personnel were ordered to wear uniforms at all times in a further “show of force.”<sup>39</sup> The limited use of the zone's few available units in this role was magnified over the next several weeks by frequent California press coverage, stressing WDC strength, vigilance, and wartime preparedness.<sup>40</sup> The patrols detailed for the “show of force” were too under strength even to patrol their designated sectors.

The negative effects of this “show of force” included inefficient communication and poor public attentiveness to the threat of enemy action. When DeWitt deployed his forces to their wartime positions on the afternoon of December 7, 1941, they met resistance from the civilian leadership and then even greater resistance from the general populace. As per orders, the general and his subordinates liaised with local law enforcement, city and state government, the FBI, and the United States Marshal's offices, communicating General Marshall's warning and preparing the civilian authorities to assume their wartime responsibilities.<sup>41</sup> But the choice of print media and word of mouth instead of a general radio announcement delayed the communication of DeWitt's messages by as much as a day.

Though DeWitt's message was received by the civil authorities, the citizens of the West Coast failed to appreciate the danger and the culture of militarization had, in fact, failed to prepare the West Coast for war. At first, the civilians appeared not to have taken either the military's or their West Coast representatives' radio and newspaper warnings seriously. In fact, having been duped by Orson Welles's 1938 “War of the Worlds” broadcast, some failed to

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<sup>39</sup> “Here are the Nation's Wartime Rules,” San Francisco Examiner, December 8, 1941, p. 7.

<sup>40</sup> Coast Defense Forces Ready, San Francisco Examiner, December 8, 1941, p. D; Army Men Here to Instruct Coast on Fire Bomb Drill, Los Angeles Times, December 21, 1941 Pt II., p.1 Apparently, the WDC also attempted to hide this position of insecurity from the historical record, as there is only one reference in their seven-volume history of the WDC compiled towards the conclusion of the war. A similar omission also exists in Dewitt's Final report. These will be discussed later in Chapter 8. The History of the Western Defense Command: Volume 1, 1-13, USAHEC.

<sup>41</sup> The History of the Western Defense Command: Appendix A, 8, USAHEC.

believe that Pearl Harbor had actually been attacked.<sup>42</sup> Others failed to see the connection between events in Hawaii and threats to the West Coast, and consequently saw no reason to change their behavior. Indeed, most West Coast residents believed danger to be so remote from their quiet urban neighborhoods that they engaged in counterproductive behavior. For example, ignoring broadcast instructions to stay away from military installations, crowds gathered outside military bases, such as Fort MacArthur and Point Pearman, looking for information about the war.<sup>43</sup>

Consequently, in addition to the threat of a Japanese attack against his small largely untrained military presence, DeWitt also had to contend with an uncooperative civilian population and simultaneous growing collective dependence of the civilian government on the military for their protection. Although the West Coast had long benefitted from the effects of militarization and the placement of military forces throughout the region, many civilians failed to integrate wartime behavior with common sense. Some motorists, for example, refused to recognize the authority of California's understaffed State Guard to direct traffic after dark. In one incident, a guardsman fired into an approaching vehicle and killed a female passenger.<sup>44</sup> Many others failed to reconcile war restrictions with the need for personal safety. For example, most motorists followed the appropriate blackout procedure of turning off their headlights when they heard the air raid sirens. Many, however, failed to pull off to the side of the street and park during the blackout period, resulting in hundreds of "blackout" car accidents.<sup>45</sup> Worse, instead of one united force, the events exposed that there were, in fact, several parallel running defense

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<sup>42</sup> "Radio Drama Dupes US," Bakersfield Californian, October 10, 1938, p. 1; "US Probe Radio Drama Terror Case," Oakland Tribune, October 31, 1938, p.1; Public Believed First War Reports Only Gag, Los Angeles Times, December 8, 1941, p.1.

<sup>43</sup> Ibid.

<sup>44</sup> "Enemy Planes Sighted Over California Coast," Los Angeles Times, December 9, 1941, p.1.

<sup>45</sup> "Enemy Planes Sighted Over Coast," Los Angeles Times, December 9, 1941, p. 1.; "S.F. Named Defense Area," San Francisco News, December 12, 1941, p.12; "Volunteers for Raid Duty Sought," San Francisco Examiner, December 21, 1941, p. 8.

efforts with varying levels of competency. It was, therefore, easier to blame others than take responsibility themselves

Ironically, the “show of force” and poor civil defense preparedness also coincides with the beginning of an uptick in racial tensions. A comprehensive search of the major state newspapers for the three weeks following the Pearl Harbor attack show the beginning of a trend in the scapegoating of the Issei and Nisei for the civilian populations fears. Over the course of the next several months, these efforts began with the shortening “Japanese” to “Jap,” anti-Asian stereotypes and then moved to the portrayal of Issei, Nisei, and other Asians in cartoons and caricatures as craven creatures of dubious allegiance.<sup>46</sup> Many Issei would also be removed officially called enemy aliens and their Nisei children made suspect. A few weeks later, in January 1942, Issei and Nisei would become viewed as poisonous “vipers” in the midst of wholesome West Coast Americans, saying in one editorial “A viper is nonetheless a viper wherever the egg is hatched”<sup>47</sup> Finally, once the White’s Only Californian’s were able to convince their political leaders and the army that their baseless assertions held credence, the scapegoating would be complete.

Initially, the political arena, likely due to the effectiveness of DeWitt’s show of force, was slow to warm to taking overt prejudicial action without context. Although many Californian politicians later admitted they had considered making public proclamations against Issei and Nisei, most demonstrated restraint, appealing for “calm” against “war hysteria.”<sup>48</sup> Only California Governor Culbert Olson attempted to capitalize on the crisis. In a prefiguring of later pro-internment rhetoric, on December 9, he linked the fate of Hawaii with a potential attack on

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<sup>46</sup> John Dower, *War Without Mercy*, (New York: Pantheon Books, 1986); “Alien Rules Put in Effect,” Los Angeles Times, December 19, 1941, Part I, A.

<sup>47</sup> “The Question of Japanese-Americans,” Los Angeles Times, February 2, 1942.

<sup>48</sup> “Civilians Urged to Keep Calm,” Los Angeles Times, December 8, 1941, p.1; “Mayor Tells All to Remain Calm,” Los Angeles Times, December 9, 1941, Part II, p. 9.

the West Coast and then insinuated that native Issei and Nisei had created an unstable climate for this defense, which, he claimed, could be remedied by interning merchant vessels owned by the state's Issei.<sup>49</sup> Olson's thinly veiled attempt at removal resoundingly failed to gain the endorsement of the State Council of Defense.<sup>50</sup> As shall be discussed in the next chapter, Olson's stifled political perspective would later be viewed with greater credence by the distrusting populace in their declining level of security.

The civilian misperception that the West Coast remained secure at this time temporarily fostered a cogent response to the crisis, but it would inevitably lead to Olson's concerted effort to remove the Issei and Nisei. Even as Japanese troops were landing in the Philippines, the civilian government perceived a potential for danger caused by the Issei and Nisei to be considered far too remote to warrant the inherent regional economic decline incumbent with their wholesale removal.<sup>51</sup> Within the context of West Coast civil defense capabilities, one can understand the initial reluctance of even the most vitriolic anti-Asian politicians to target Issei or Nisei. The state's National Guard, the modern formal successor to the militia, had been federalized in 1940 and subsumed into army operations. The modern police force was insufficient to handle an attack, invasion, or the mass arrest of individuals of Japanese ancestry. Worse, the politicians knew, as tradition held, that the government's incapacity for action could result in the appearance of impromptu Vigilance Committees, which, as we shall see, in fact occurred after the first false reports of attacks on the West Coast on December 8<sup>th</sup> and 9<sup>th</sup>. Thus, racist rhetoric from civic leaders at the time of the Pearl Harbor attack would have dispelled the illusion of security of the home front, endangering not only the region but also the public's already shaky confidence in the leadership. While this would later happen, the full breakdown of constitutional protections for

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<sup>49</sup> "Olson Restriction of Japanese Fails," Los Angeles Times, Part II, p. 9.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.; "Olson Restriction of Japanese Fails," Los Angeles Times, December 9, 1941, p. 9.

the Issei and Nisei was, ironically, prevented by DeWitt's own separation of the WDC's policies and goals from those of the civilian authority. It would take a perceived potential cataclysm in the offing, the presence of an active fifth column on the West Coast, to bring about the change necessary for the federal government to take their anti-Asian side.

While December 7, 1941, had been fairly uneventful, on December 8, 1941, the cracks in the civilian and military defense preparations began to spread. At 7:55am, General Dewitt received a telephone call from General George Marshall apprising him of the extent of the damage at Pearl Harbor. Marshall also informed him the Japanese were obtaining the "same character data" used in the Pearl Harbor attack for the Bremerton Navy Yard.<sup>52</sup> Marshall then ordered DeWitt to "do everything possible to protect vital installations, particularly the aircraft plants in Seattle, Los Angeles and San Diego from air attack."<sup>53</sup> Given the information provided by an unnamed and highly confidential source, Marshall warned DeWitt, "[T]he situation is such that it is probable that we may expect a bombing attack on the West Coast with not over five minutes warning."<sup>54</sup>

"The Navy," Marshall said, according to DeWitt's notes on the conversation, "can offer little if any assistance. Air reconnaissance must be intensified. What happened and why must not be allowed to happen. In Hawaii, although they had been on alert for one week, all planes were caught on the ground...."<sup>55</sup>

Unlike his decisions following the Roberts Commission report on Pearl Harbor, Marshall's unpaginated intelligence report appears to have focused DeWitt narrowly on

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<sup>52</sup> Notes on Telephone Conversation between General Marshall and General Dewitt, December 8, 1941, 7:55am, Folder Border restricted zones 381.4-Folder, Entry Number 11, Administration Section, Box 16, RG 499 Records of the U.S. Army Defense Commands, NARA.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

preventing an entirely external threat. By the morning of December 8, Pacific Coast Time, the Japanese had also struck the Philippines, Wake, Guam, Malaya and Thailand. DeWitt shared with Marshall the paucity of West Coast antiaircraft batteries. DeWitt also asked for additional troops, equipment, and, most importantly, ammunition, since the West Coast had barely any at all. Marshall confirmed that assistance was imminent, and in fact, efforts were already underway in the War Department to locate, commandeer, and send westward in the next few weeks as many weapons (mostly anti-aircraft pieces and pursuit planes) as possible.<sup>56</sup> DeWitt also hinted that “soon” would not be soon enough, explaining “we would be glad to get the AA Marine units at San Diego for use in that area.” Marshall assured him “he would do what he could.”<sup>57</sup>

The army's mobilization over the next several hours demonstrated the gravity with which DeWitt considered Marshall's warning, abandoning a passive defense for an active posture. Following his five-minute telephone call with the Army chief, DeWitt raised the region's Category of Defense from “B” (which the army “assigned to frontiers which might be subject to attack” and brought San Francisco Harbor to a state of readiness in anticipation of an enemy attack) to “C” (which the army assigned to “frontiers determined to likely come under minor attack”).<sup>58</sup> Several Japanese submarines were already en route to the West Coast's shoreline, as Japan had undertaken some crash programs for inflicting damage against the United States proper. These plans called for a new aircraft-carrying submarine (the I-400 series) and incendiary-toting balloons to launch aerial bombing attacks against the United States.<sup>59</sup>

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<sup>56</sup> Take FDR Off Guard Notes, December 9, 1941, 1, Reel 7, Stimson Papers.

<sup>57</sup> Notes on Telephone Conversation between General Marshall and General DeWitt, December 8, 1941, 7:55am, Folder Border Restricted Zones 381.4-Folder, Entry Number 11, Administration Section, Box 16, RG 499 Records of the U.S. Army Defense Commands, NARA.

<sup>58</sup> Bronk, *The History of the Eastern Defense Command*, 45, Box 1, Record Group 499 Records of the U.S. Army Defense Commands, NARA. USAHEC. The WDC would remain at “Category C” until 1943.

<sup>59</sup> Henry Sakaida, Gary Nila, and Koji Takaki, *I-400: Japan's Secret Aircraft Carrying Submarine*, (Flight Recorder Publications Limited, 2011); *The History of the Western Defense Command*, Volume V, USAHEC.

In the opening hours of the war, the illusory synergy between civil and military relations was shattered. The military's subsequent response to the emergent crisis embodied several assumptions. Born of their tradition of militarization in times where the direct threat of enemy attack was relegated to the stuff of fantasy, the West Coast civilians erroneously believed:

- 1) The civilian populace was properly educated in the proper way to respond to a military emergency.
- 2) The civilian government retained enough trained personnel and equipment to meet an air raid level threat.
- 3) The civilian government had plans in place to deal with an enemy air raid in an integrated fashion

Behind the “show of force,” American military leadership was deeply shaken by the attack on Pearl Harbor. Although California newspapers were reporting that the Pacific Fleet was mobilizing to confront the Japanese threat, both regional military commanders and the War Department knew the bulk of the American fleet was underwater or on fire in the Hawaiian harbor.<sup>60</sup> In the first cabinet meeting after the attack, the War Department believed the situation was still graver than the initial War Department assessment “[Secretary of the Navy Alexander] Knox,” wrote Secretary of War Henry Stimson, “who sat next to me told me with a rather white face that we had lost seven of the eight battleships in Hawaii.” In actuality, the navy had only lost two battleships and suffered repairable damage to five other vessels.<sup>61</sup> At best, naval reinforcements were weeks away.

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<sup>60</sup> “Fleet Speeds Out to Battle Invader,” Los Angeles Times, December 8, 1941, p.1; Stimson Cabinet Meeting with the President, Notes, December 7, 1941, p. 1, Reel 7, Stimson Diaries.

<sup>61</sup> Ibid.

Moreover, neither the fleet's aircraft carriers nor the Office of Naval Intelligence could locate the position or bearing of the Japanese attack fleet after the attack.<sup>62</sup> With the American carriers now forced to protect their crippled Hawaiian base, the other island protectorates and the West Coast were open to attack. Additional reported Japanese fleet movements in the Gulf of Siam, against Guam, and against the Philippines further contributed to the perceived devolution of the military's continental defense strategy. To Roosevelt and his Cabinet, the Japanese Navy appeared to be attacking undeterred every major American base across the Pacific Rim. Until reinforcements could be produced and the Pearl Harbor fleet refloated, the U.S. naval screen envisioned in Rainbow-5 to stalemate the Japanese fleet was a paper fantasy. The West Coast of the United States had become vulnerable to predation by raiding enemy forces.

On the night of December 8, 1941, the West Coast's civilian populace failed their first test of wartime preparedness. A day after the Pearl Harbor attack and hours after receiving Marshall's warning, DeWitt received news of radar detection of an unidentified force heading towards San Francisco harbor. He followed his prewar local plan, ordering the military on full alert and notifying the civilian authorities that they should immediately issue an air raid warning. The city's handful of short-range air raid sirens signaled the city residents to extinguish their lights and cover their windows. Cars were to turn off their headlights, and police went out to direct traffic. By order of DeWitt, the Army's anti-aircraft batteries were brought on-line. By order of Brigadier General William Ord Ryan, the 4<sup>th</sup> Interceptor Squadron's few active fighters were put on alert. Thereafter, coastal watch sentries began to scan the skies with binoculars for enemy planes. When General DeWitt received word from the radar installation that the incoming signals were about to fly under the Golden Gate Bridge, he moved outside to direct the defenses.

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<sup>62</sup> Ibid.



There he discovered his forces ready to counter the incoming force....against a still lit set of roadway approaches to the Golden Gate Bridge (the Bridge itself was blacked out), a mostly still lit city and roadways, and a base surrounded by crowds of curious civilians. After a few more minutes, the radar operators reported that the unidentified aircraft had turned around and were heading back out to sea.<sup>63</sup>

After the blackout had been canceled, DeWitt's staff assessed the situation. Although the Army experimental radar operators had likely been tracking a flock of birds, they believed the radar had picked up a genuine force of enemy reconnaissance planes. In anticipation of a full scale attack, DeWitt ordered his troops to stay vigilant. In addition, his staff continued to work on blacking out the Golden Gate Bridge and the rest of the city. DeWitt also summoned the mayor, police commissioner and a handful of other city government leaders to a meeting in the mayor's office.<sup>64</sup>

Even where the culture of militarization had seemed to bear new fruit in the form of OCD and Air Raid Wardens, the West Coast cities were an abysmal failure in the first light of war. They failed to execute established air raid procedures. Air raid sirens were too few and too underpowered to alert the entire city. Few civilians were aware of the need and method for light suppression. Few small business owners realized that they needed to turn off their lit store and shop signs. Many motorists also failed to realize they were part of the blackout. There were not enough police officers to deal with the traffic overflow (caused by accidents, rubber-neckers, and overzealous armed sentries directing traffic). Nor were city medical facilities prepared for the resulting traffic accidents. Had the attack been real, in nearly every sector of the city road

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<sup>63</sup> The History of the Western Defense Command, Volume I, 15, USAHEC; "Air Alarm Held Real," San Francisco Examiner, December 9, 1941, p.1; "Army Warning: City is in Danger!," San Francisco News, December 9, 1941, p. 1.

<sup>64</sup> Ibid. A day earlier, the Pearl Harbor radar operators had erroneously presumed the Japanese attack force to be an expected flight of B-17 bombers.

congestion would have hampered emergency forces, including the few available troops. The city government, unlike, the military, had no centralized command and communications system in place to ensure blackout compliance in public buildings, including Alcatraz Island and the rather large and brightly lit main approach to the Golden Gate Bridge.<sup>65</sup>

The American military also committed two major blunders. First, the radar operators were inexperienced and so did not recognize the signals and flight path of the approaching force as non-threatening. And in the aftermath of the false air raid, General DeWitt compounded the civilians' errors by failing to treat them as civilians. Instead, his harsh criticism of civic leaders undermined their authority, and his berating of the California public in the manner a standing line officer would treat an insubordinate enlisted soldier alienated the public.

Arriving at City Hall after midnight, DeWitt discovered that the mayor had invited a few others to the meeting who, in turn, had further expanded the attendees' list, including even some members of the press. There were so many people in attendance that there were more delays while city officials found a room large enough to accommodate everyone who wished to hear the general. He spoke extemporaneously to the crowd, covering several separate elements, beginning with the city's immediate response:

The blackout last night was not satisfactory. The people of the city do not seem to appreciate the fact that we are at war-and I mean war in every sense. Death and destruction is liable to come to the city at any moment. The blackout was a serious definite military action and unless definite, stirring in active steps are taken, a great deal of destruction will visit the city. I mean exactly what I say.

It was not a hoax. It is foolish, it is insane for anybody, I care not to me that officials like myself and Admiral Greenslade, with our responsibilities in this community, would pull hulks of that nature on his fellow citizens. Those planes were over this community for definite length of time.

They were enemy planes, and I mean Japanese planes. They were detected and followed to sea. I was bothered by newspaperman who wanted to know if it was a hoax-

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<sup>65</sup> Ibid.

why they did not drop their bombs. I hate to say this, but it might have been a good thing if bombs had been dropped to wake up this community. I am very much in earnest.

Frankly, it was damn nonsense for sensible people to assume I would practice an alert on this population and lead them into foolish judgment and action. We will not have such a practice alert....

I have but one responsibility-that is, I have command of the troops from Dutch Harbor to the Mexican border. San Francisco is but a small part. I am not telling you that I can prevent bombs or an aerial bombardment. San Francisco. I cannot, but reinforcements are coming in when they come...

My business and Adm. Greenslade's business... is to fight. The action of the civilian authorities is to aid that action by their own measures which I am going to ask them to take.

You won't like some of that, but I don't care. We are at war. Strict measures are necessary and you can do it. Somebody will say, 'I am going to lose money.' You can handle that man. I can't.

I don't think some of you will know what it means until some of you or your dear ones get killed. You read in the papers what occurred in Honolulu, Wake Island, Guam, Manila, Singapore and it is surprising the apathy of the people of San Francisco

You can't put this in my lap, and I leave this with the Mayor. I am through. So don't call me up. You're all intelligent men... You cannot quibble now.<sup>66</sup>

The impromptu speech had a major impact on civil-military relations in California for the rest of the war. DeWitt had demonstrated the urgency of civilian compliance in following precautionary military protocols, but DeWitt's delivery was mired in an overly grim and anxious perception of the war. He delineated the military's active defense strategy from a civilian passive defense strategy. The military's fleets at sea and armies in the field were considered part of an active homeland defense. Military units stationed behind the lines were considered engaged in the active defense of the continent when responding to presumed enemy contact. They were considered part of the passive defense of the continent at all other times, indicating both the parameters for future air raid conduct and that the "responsibility of the civilian agencies by civilian methods and civilian forces of control-such as the police and fire departments, . . . must be handled by their own authorities." He clearly declaimed any authority over civilian defense elements and he revealed that the military's defensive capabilities were inadequate to the task at

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<sup>66</sup> "Text of General DeWitt's Warning," San Francisco Examiner, December 10, 1941, p. 7.

hand. Even with his command in such a state, he refused to assume authority over the civilian populace. He pointed his audience towards the federal government for relief from their current situation. Finally, by publicly ridiculing San Francisco's mayor, he cut himself off from the political leadership of the West Coast, a direct contravention of the West Coast's historic closeness with the military.

The general's authority was also far more tenuous than the civilians knew. Throughout the first few days of the crisis, DeWitt had been acting under the limited powers available to a regional administrative military commander of the Western Sea Coast Frontier. According to Rainbow-5, his duties were limited to inter-service coordination and paperwork. As the ranking army officer in the region, he was also able to direct most of the army's response to the crisis, but only for a limited time. Due to GHQ protocol, he could not directly order the Army Air Corps into battle. Nor could he give orders to the Marine Corps, Coast Guard, or Navy. Likewise, his administrative standing inhibited his ability to move beyond an informal diplomatic status with Canada and Mexico. Furthermore, as indicated in his speech, DeWitt held no influence over civilian matters behind the shoreline. These matters were the purview of a disinterested War Department.

While there is no record of DeWitt's speech being reviewed by Washington, D.C., the War Department's subsequent actions affirmed the West Coast general's active defense posture that the enemy had flown into San Francisco Harbor. On December 11, 1941, the War Department addressed most of the theater's concerns by activating Western Defense Command and installing General John DeWitt as its commander. This administrative maneuver authorized DeWitt to command any military asset within his Zone of Command (Washington, Oregon, California, Arizona, and Utah) to counter an emergent enemy threat. In addition, this elevation of

command also authorized DeWitt to facilitate the war plans his staff had made in peacetime with the sector commanders, the other branches of services, and both Mexico and Canada. By default, DeWitt was granted the additional responsibility of defending the “internal security” of his zone from enemy predation, including air raids, invasion, subversion, and sabotage. To assist this task, the Defense Commander earned the authority to change the defense condition of the Zone from rear echelon to “Theater of Combat.”

The Defense Command’s powers appear to have been crafted to address the most glaring problems encountered by the military commanders at Pearl Harbor before the attack. The Hawaiian Island's military operations had suffered from a parallel but segregated command structure, causing duplication of effort. A joint command had been authorized, but no one person or branch held authority over all the domestic Pearl Harbor defense forces.<sup>67</sup> Likewise, although Hawaii's status as a protectorate allowed the military to influence and even extend their authority into the civilian sector, the military had been generally detached from civilian affairs since the late nineteenth century. This resulted in several missed opportunities to coordinate with civilian law enforcement to deter Japanese espionage operations, including the surveillance of spies as they gathered intelligence.<sup>68</sup> Under the Defense Command system, there would be one military leader who was able to handle inter-service, diplomatic, and civilian issues.

The War Department also placed some restrictions on the Defense Commander's (DC) powers. The DC could not stop or divert the movement of the high volume of supplies transiting his zone. Unlike the other branches of service, the Army Air Corps would be at the immediate disposal of the WDC for operations, but it would remain outside his direct command, with no

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<sup>67</sup> To their credit, the service commanding officers, Admiral Husband Kimmel and Lieutenant General Walter Short, maintained a close working friendship, which limited inter-service conflicts, but the War Department was largely unaware of this at the time. Gordon Prange, *At Dawn We Slept: The Untold Story of Pearl Harbor*, (New York: McGraw Hill, 1981), 53-54, and 701.

<sup>68</sup> *Ibid.*, 80 and 442-446.

changes in Air Corps operational headquarters or bases permitted.<sup>69</sup> Also, general depots, air schools, the ground units and installations allocated to the Ninth Corps areas would not be diverted from their training duties “except in a severe or critical emergency.”<sup>70</sup>

Like the civilian peacetime restrictions on the army, these stipulations further limited the Defense Commander’s abilities to carryout a blanket defense of the homeland. Moreover, these restrictions, applied to all four DCs equally, were also construed by the General Staff as serving in the best interest of war mobilization, limiting the potential opportunities to distract the DC’s from processing military orders with additional civilian responsibilities. Although there were still few supplies on hand, the Army staff foresaw the Defense Commands as serving some purpose beyond continental defense. They were an intrinsic part of the old GHQ Corps system, but, instead of mobilizing expeditionary forces, they would protect and facilitate the movement of the men, material, and machinery. In this light, these restrictions can be viewed as measures to preempt a reappearance of the Civil War practice of army commanders creating their own supply fiefdoms by failing to share their resources. Essentially, the WDC now played two roles: defender and clearing house for the combat zone.

Besides the new civil defense rubric, General DeWitt's speech also, likely inadvertently, outlined the West Coast's causes for concern. Unless the situation became dire, the civilian population was on its own and would have to craft their response to enemy attack. Even after the establishment of the WDC, DeWitt attempted to limit or eliminate military support for strictly civilian matters. This became a major source of tensions in the coming months. So, unlike their nineteenth century predecessors, West Coast politicians and civil defense workers could no longer count on the military for training, equipment, and emergency supplies, such as air raid

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<sup>69</sup> The History of the Western Defense Command: Volume I, p. 3, USAHEC.

<sup>70</sup> Ibid., 5.

sirens, bomb shelters, gas masks, defense training, and educational material. Similarly, damage from enemy action now devolved to the exclusive purview of the local municipality. Most importantly, DeWitt's speech implied that peacetime restrictions could now be overridden in response to wartime security measures.

After the attack on Pearl Harbor, the civilian leadership embraced their militarization tradition in a new way. The governors and several city mayors issued wartime proclamations, calling their citizens to arms.<sup>71</sup> Civil Defense Councils were activated.<sup>72</sup> City police officers were placed on a twenty-four hour rotation to patrol the city utilities and other vital areas, and highway patrol units guarded area bridges.<sup>73</sup> Officials began regulating light use at night.<sup>74</sup> On December 10<sup>th</sup>, a group of private citizens, resembling the Vigilance Committees of the nineteenth century, took to the streets to enforce DeWitt's recommended wartime light discipline. Over a hundred individuals roamed the streets of Seattle after midnight, breaking the lit windows of city businesses. When questioned about their motives, one rioter answered, "They don't realize one light in the city might betray us. That's my patriotism."<sup>75</sup> In the wartime climate, the threat of spontaneous generation of similar Vigilance Committees plagued city officials and, more ominously, the West Coast's Issei and Nisei populace. Many were looking to prevent future attacks based on flawed perceptions, and others were looking for race-based retribution.

Pearl Harbor and the subsequent air raid scare was a fulcrum for the West Coast's civilian and military populace. It exposed several flaws in war planning and critical prewar misconceptions, necessitating patchwork remedies. It also engendered a reevaluation of the

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<sup>71</sup> "Rossi's Emergency Proclamation," San Francisco Examiner, December 8, 1941, p. 6.

<sup>72</sup> Ibid.

<sup>73</sup> "Sacramento Put on War Footing," San Francisco Examiner, December 8, 1941, p. D; "SF Quickly Put on War Footing," San Francisco Examiner, December 10, 1941, p. 10.

<sup>74</sup> "Blue Headlights Must Go, Deputy Police Chief Wars," Los Angeles Times, December 15, 1941, p.1.

<sup>75</sup> "Rioters Enforce Seattle Blackout," Los Angeles Times, December 10, 1941, Section 2, p. 9.

relationship between the two groups, reinforcing period racial conventions and shattering any hope of a unified West Coast population. As the year drew to a close, the West Coast's citizens held close to their own militia tradition but were compelled to find other avenues through which they might win federal support for their internal security responsibilities. Likewise, the army expected to fight off an imminent attack but anxiously waited for the means with which they might do it. Still, both had come to the same conclusion: they would use any way to achieve their goals.



## **Chapter Four: “Enemies”**

Throughout the late nineteenth and early twentieth century, the Issei had endured rigid constraints on their legal and personal abilities as residents of the United States. Amidst the fallout over the Japanese attack on Hawaii in late December 1941, long festering anti-Asian sentiments rose to new heights among the West Coast civilian populace, who feared their own version of Pearl Harbor. The anti-Asian prejudice and fear of attack were exacerbated by a series of ill conceived national security policies that reinforced old prejudices by creating a series of administrative divisions within the West Coast populace. First, federal legislation divided the populace between native loyalists and resident aliens. Next, the Offices of the Executive Branch subdivided the resident aliens of Allied nations from enemy aliens. The West Coast's Anti-Asian prejudices were heightened by the “yellow press” and the release of the Roberts Commission Report, which served as a false validation of more sinister motives on the part of the Japanese residents. By mid-January 1942, the bifurcation of the American people into loyal Americans and “the other” had created fertile ground for the widespread irrational West Coast fears that the Issei enemy aliens and their Nisei children might be a “fifth column” of enemy agents acting undetected inside the United States. Without either reassurances or active demonstrations of safety, these wartime fears turned to hatred and calls for the removal of all residents of Japanese ancestry. As a result, the nineteenth century culture of militarization again rose to defeat a now fictitious threat with violent action, resulting in the subjugation of the Issei and Nisei.

While there is some dispute over when the first Japanese immigrant to the United States arrived, the first mass emigration of Japanese to the West Coast of the United States, which

occurred between 1885 and 1895, shaped the Japanese immigrant experience.<sup>1</sup> In the rapid modernization programs of the Meiji Restoration, the imperial government had instituted deflationary policies, which lowered the price of rice and set a fixed federal tax on farmland. The dual economic pressure and the promise of better wages in American contract labor encouraged many young Japanese to immigrate through Hawaii to the United States in the hopes of providing for their families at home and, some day, returning home. One estimate places the number of immigrants entering the United States through this path at 150,000 over a forty-year period.<sup>2</sup>

Upon arrival in America, many Issei, however, soon discovered discriminatory regulation, brutal working conditions, and social ostracism. Many of the poorest immigrants labored under hazardous conditions to build the railroads. Others worked as tenant farmers. Others still managed small businesses, such as laundries and vegetable stands. Around 1900, the Japanese government began severely restricting emigration to the United States. Over the next thirty years, Japanese immigration to the United States fell by about one-third.<sup>3</sup> Simultaneously, the rise of extreme nationalism in Japan placed an additional social stigma on returning immigrants and their visiting Kibei children, seeking to connect with their ancestral heritage by attending Japanese high schools. As a result, the Issei, Nisei, and Kibei (Nisei children schooled in Japan) found themselves trapped in a cultural, political, and economic limbo.

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<sup>1</sup> Some historians, such as Bill Shishima, claim the first immigration occurred in the 1840s. Others, such as Ronald Takaki, believe it was in 1868 with the first transportation of contract Japanese labor to the future island protectorate of Hawaii (the Pacific island became a protectorate in 1898). Bill Shishima, Docent, Japanese American National Museum, C-Span American History TV, Interview. May 25, 2011, C-Span, Internet Link: <http://www.c-spanvideo.org/program/AmericanNat> Accessed: January 15, 2012; Ronald Takaki, *Strangers from a Different Shore*, Back Bay Book, 1998, 43; Rosemary Wallner, *Coming to America: Japanese Immigrants, 1850-1950*, Mankato: Blue Earth Books, 2002, 4.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

In the time leading into the Roosevelt Administration's internment decision, the Issei and Nisei would be isolated from the rest of the West Coast populace by racially targeted government acts. By the onset of the twentieth century, Issei had already lost the opportunity to become immigrants. As Yuji Ichioka, Nisei scholar, examined in *The Issei: the World of the First Generation Japanese Immigrants, 1885-1924*, the socio-economic pressures facing the first waves of Japanese immigrants to the West Coast was palpable. She revealed the importance of market pressures, the ramifications of the "White Man's Burden," and Japanese tradition in the shaping of Issei trends towards agrarianism, fishing and isolation.<sup>4</sup> Over the following decades, various city and state laws had also barred the Issei from owning property, limiting their economic growth potential and relegating them to second class social status as farmers. As the war drew near, the Issei would also be given the social stigma of Enemy Alien by the federal government. As will be demonstrated below, these two race-based policies divorced the Issei and their children from mainstream West Coast society, rendered them susceptible to their neighbor's attempts at guilt by association for nearby enemy raids, and also effectively limited the opportunities of the federal government to reverse course in favor of protecting the accused.

Similarly, the origins of the Second World War Nisei and Issei internment lie in the discriminatory legislative acts of the nineteenth century.<sup>5</sup> During this period, the Asian American faced tightening constraints from municipal and federal legislation. Asian immigrants were used by businesses in the nineteenth century as a source of cheap labor for the dangerous work in building the American West, principally laying of the Trans-Continental Railroad and mining

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<sup>4</sup> Ichioka, Yuji. *The Issei: the World of the First Generation Japanese Immigrants, 1885-1924*. (New York: Free Press, 1988).

<sup>5</sup> Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882*, (New York: Hill and Wang, 2005) 88.

during the early Gold Rush period.<sup>6</sup> Although often considered culturally and racially inferior by Westerners, their presence was tolerated because they made investment capital cost effective. But an economic correction and rapid swelling of the tide of Chinese immigrants in the Gilded Age led many municipalities to revise their policies concerning Asian immigrants. The 1882 Chinese Exclusion Law banned Chinese “skilled and unskilled laborers and Chinese employed in mining” from entering the country for at least ten years.<sup>7</sup> The law, which endured until 1943, legitimized the United States' suspension of immigration from, first, China and, later, Japan. It was reinforced by the Japanese Exclusion Act as part of the Immigration Act of 1924. “Like much of what Congress has done about immigration since then,” historian Roger Daniels summarized, “it was conceived in ignorance...and had consequences undreamt of by its creators.”<sup>8</sup> Sadly, this intentional myopia became endemic in the crafting of Second World War federal policy.

The legislative measures directly and indirectly caused problems for the Issei, because they also reduced rights for legal redress and limited the Issei's and Nisei's ability to participate in their cultural heritage. Although approximately 110,000 Japanese had successfully immigrated to the contiguous forty-eight states prior to the implementation of restrictions, the exclusion laws kept the approximately 110,000 Japanese who had already entered the country from becoming American citizens, effectively eliminating their chances for electoral and legal representation.<sup>9</sup> Moreover, the legislative acts also forced the marginally successful to assign the rights to small businesses and homes to their American-born children. The legislation also placed severe

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<sup>6</sup> Federal Writers Project of the Works Progress Administration, *San Francisco in the 1930s: The WPA Guide to the City by the Bay*, (Berkeley: University of California, 2011) 29-30.

<sup>7</sup> Republican National Committee, *The Republican Campaign Textbook for 1884*, (New York: Republican National Committee, 1884) 96.

<sup>8</sup> Daniels, *Guarding the Golden Door*, 3.

<sup>9</sup> Roger Daniels, *Asian America: Chinese and Japanese in the United States since 1850*, (University of Washington Press, 1988) 152.

constraints on the growth of Issei families by preventing women from immigrating into the already heavily male-dominated resident populace.

Issei speakers of Japanese and their student Nisei felt socially ostracized from the West Coast populace. “This study of the Japanese language was frowned upon,” said Nisei California resident John Aiso. “In fact many people erroneously construed it to be a part of a Japanese plot to keep the children loyal to the Emperor and loyal to the Japanese religion.”<sup>10</sup>

“One of the problems... was this [California] Alien Land Law,” recalled the Nisei farmer’s son, George Jiro Abe. “Anyway, we couldn't own property....there was a danger that we wouldn't even be able to farm anymore [in California]. So he [father] and some of his friends, who were quite influential ...decided that they would go to Mexico to look for property where they would probably eventually move to start farming...., but ...they didn't have the money to swing the deal.... [sic]”<sup>11</sup> As a result, by 1941, the Issei were effectively permanent resident aliens, bearing the legal rights of visitors, the electoral recourse of felons, and the socio-economic status of ghosts.

Federal policies enacted after the onset of war, likewise, further diminished the status of the Issei from resident aliens to enemy aliens. During the First World War, Wilson had utilized the Alien Enemy Act, Espionage Act of 1917, and the Sedition Act of 1918 against a sector of the German immigrant populace. According to Jonathan Lurie, more than six thousand German residents were detained and four thousand were interned in American prisons under these

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<sup>10</sup> “Observations of a California Nisei: John F. Aiso”, Transcript, p. 7, Oral History Program, University of California, Los Angeles, 1971.

<sup>11</sup> “Nisei Experience in Orange County, California,” O.H. 1763 George Jiro Abe, Interviewed by Marsha Bode, February 20, 1984, p. 2-4, Historical and Cultural Foundation of Orange County Japanese American Council and California State University Fullerton, Oral History Program, Japanese American Project, Honorable Stephen K. Tamura Orange County Japanese American Oral History Project.

statutes for lending material or, even, verbal support to Germany.<sup>12</sup> After the First World War, Congress passed measures to remove communists and fascists from American businesses. They restricted immigrant access to the United States by passing anti-immigrant legislation. Next, they supported the expansion of several Department of Justice projects, such as the Bureau of Investigations (BOI), to monitor and arrest individuals deemed disruptive to American business, including anarchists, communists, and socialists. Later, when the BOI refused to take action against legal immigrants, many more anti-alien advocates supported Attorney General A. Mitchell Palmer's crusade against resident aliens. Although Palmer's cases were discovered to have been based on fraudulent evidence, the anti-alien crusade continued unabated. During the interwar years, the Justice Department estimated that in the United States there were "some 80,000 members of active or reserve for military forces; 20,000 non-diplomatic officials and employees of foreign governments; 10,000 to 15,000 representatives of foreign business concerns, approximately 750 publications under foreign control or influence."<sup>13</sup> In peacetime, however, neither Congress nor the executive branch could gather enough support for a comprehensive solution to the perceived negative influence of immigrants on American labor.

With the onset of the war in Europe, all pretense of peacetime civil jurisprudence evaporated. "Official figures show," one Justice Department explained "that there were 934,100 German, Italian, and Japanese aliens living in the United States, when war broke out [in 1941]."<sup>14</sup> In response, the 1940 Alien Registration Act compelled resident aliens to register as Enemy Aliens of America's warring allies, the French and British empires. In congressional anticipation of Roosevelt following Woodrow Wilson's policies, the act created data on the size

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<sup>12</sup> John Chambers, ed., *The Oxford Companion to American Military History*, (Cambridge: Oxford University Press, 1999), 339.

<sup>13</sup> Justice Department Press Release, December 2, 1942, Folder Saboteurs, Box 3, Francis Biddle Papers, Franklin D. Roosevelt Presidential Library (FDRPL).

<sup>14</sup> *Ibid.*

of the resident alien populace, which would allow the Justice, Interior, and Immigration Departments to prepare for the detention, arrest, or deportation of Enemy Aliens. Individual aliens discovered in this process to be engaged in espionage and not registered, were, therefore, in violation of the law and, once arrested, could be deported. The law was both unwarranted and, ironically, unwanted by the investigative offices of the federal government. The successor of the BOI, the Federal Bureau of Investigations (FBI), had already fabricated lists of Axis sympathizers and resident aliens considered dangerous enough to warrant “Custodial Detention.”<sup>15</sup> So neither the Immigration nor Interior Departments had use for the information. Moreover, Attorney General Robert H. Jackson had been staunchly against the legislation, and he ordered his assistant, Francis Biddle, to ensure that registration took place at neutral sites rather than FBI or immigration offices to “ease the sense of foreboding.”<sup>16</sup> In compliance with the 1940 law, 934,100 resident Japanese, Italians, and Germans registered and were fingerprinted at local post offices. The data went, unchecked, straight into storage.<sup>17</sup>

The United States has long maintained the legislative tradition in times of war of segregating aliens of allied and neutral nations from aliens of enemy nations.<sup>18</sup> The Alien and Sedition Acts of the early republican era was a product of bitter political partisanship between the John Adams-led Federalist Party and Thomas Jefferson's Democratic Republicans. In 1798, amidst fears of war with France and a domestic uprising instigated by enemy agents, Congress gave Adams the power to restrict the activities of aliens and the heretofore unrestrained press in

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<sup>15</sup> “Custodial Detention Parts I and II,” Federal Bureau of Investigation, Freedom of Information Act, 100-2, Sections 186-188, Federal Bureau of Investigation Electronic Reading Room, Internet Link: <http://vault.fbi.gov/Custodial%20Detention> Accessed January 20, 2012.

<sup>16</sup> Geoffrey Stone, *Perilous Times: Free Speech in Wartime*, (New York: W.W. Norton, 2004), 284.

<sup>17</sup> Justice Department Press Release, December 2, 1942, Folder Saboteurs, Box 3, Francis Biddle Papers, FDRPL. The law, which also served as the basis for most postwar immigration policies, remains in effect. Richard M. Stana and Evi L. Rezmovic, *Homeland Security: INS Cannot Locate Many Aliens Because It Lacks Reliable Address Information*, Report to Congressional Requesters, General Accounting Office 03-188, Homeland Security, November 2002, DIANE Publishing, January 1, 2003, p. 8.

<sup>18</sup> Stone, *Perilous Times*, 303-307.

the anticipation of a war the nation was unready to wage. The three alien laws targeted French and Irish immigrants (traditional French allies against the British empire), extending the naturalization waiting period from four to fifteen years, permitting the indefinite detention of aliens of enemy nations, and authorizing the expulsion of aliens considered a national security risk by presidential order.<sup>19</sup> Two of the alien acts expired at the conclusion of the Adams Administration, but, the Enemy Alien Act remained in perpetuity. The 1799 Logan Act, which had no set expiration date, allowed the imprisonment of American citizens or aliens who “directly or indirectly commences or carries on any correspondence or intercourse with any foreign government...with intent to influence the measures...with the United States.”<sup>20</sup>

By the time of outbreak of war in Europe in 1939, the national security policy first enacted against French and Irish natives in the eighteenth century and then against German aliens in the First World War had created a tradition of two groups of resident aliens: friendly and enemy. Historian Gary Gerstle has attributed the development of these biases as the triumph of racial nationalism, defined as nationalism through common blood and skin color and an inherited fitness for self-government, over civic nationalism, defined as constitutionally enshrined freedom and democracy. While the more “civilized” western Europeans were of greater use to the United States in personal wealth and industrial skills, the largely agrarian-oriented Asian and Eastern European immigrants were less civically useful from a nationalist perspective. In a bitterly ironic twist, most of the less civically desirable immigrants were initially limited to finding work as unskilled laborers and faced double scrutiny from business and government in large-scale

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<sup>19</sup> This legislative action was supplementary to the establishing of a uniform rule of naturalization. Ch. 54, 1 Stat. 566; An Act Concerning Aliens; Ch. 58, 1 Stat. 570; An Act Respecting Alien Enemies; Ch. 66, 1 Stat. 577

<sup>20</sup> 1 Stat. 613, January 30, 1799, codified at 18 U.S.C. § 953 (2004).



management disagreements.<sup>21</sup> In wartime, these distinctions took on the legally polarizing characteristics of loyalty, thus dividing the nation's foreign-born residents into alien allies and alien enemies. By default, therefore, Japanese immigrants who arrived after the Alien Acts of the nineteenth century became legal enemies of the United States of America. At the time, the Justice Department estimated there were 934,100 German, Italian, and Japanese aliens in the United States.<sup>22</sup>

The 1940 act placed an additional burden upon the Issei and Nisei. The act's stipulation against materially aiding belligerents had originally been designed, first, to freeze the financing of espionage activities inside the United States and, second, to criminalize the transmission of industrial plans or war data to the enemy. Months prior to the Pearl Harbor attack, several German agents, a Hollywood stunt woman (Laura Ingalls), and one American Midway Island-based sailor (Edward John Conquelle), were arrested, charged, and, later convicted for violating the Smith Act in this fashion.<sup>23</sup> The act, however, also froze the assets of the now enemy alien Issei and their domestic philanthropic clubs and banned wiring of any assets held in Japan to the United States. The practical effect was to reduce the Issei to poverty-level subsistence. Many Issei, such as small family farmer Soichiro Hori, had to liquidate their farm stock and equipment to remain solvent.<sup>24</sup> Many others, however, already at the poverty level, had to abandon their homes and move in with relatives. Still others suffered the loss of Japan's fiscal support for their community service, such as Reverend Kenji Kikuchi, who could no longer minister to his

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<sup>21</sup> Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century*, (Princeton: Princeton University Press, 2002) 65.

<sup>22</sup> Attorney General Francis Biddle Press Release, December 6, 1942, Saboteurs Folder, Box 3, Francis Biddle Papers, FDRPL.

<sup>23</sup> Attorney General Francis Biddle Press Release, December 6, 1942, Saboteurs Folder, Box 3, Francis Biddle Papers, FDRPL; "Laura Ingalls Accused of Being German Agent," *Los Angeles Times*, December 14, 1941, p. 1; "Navy Probe Centers in Southern SF," *San Francisco Examiner*, November 8, 1941, p. 1.

<sup>24</sup> "Japanese American Evacuation", O.H. 1337 Soichiro Hori Interviewed by Paula Erickson, July 16, 1973, California State University Fullerton, Oral History Program, Japanese American Project.

congregation.<sup>25</sup> As a result, these federal policies, narrowed along racial lines, had the direct effect of isolating the Issei and Nisei from the rest of the West Coast populace.

Congress had enacted the 1940 law more as a prophylaxis against a re-occurrence of the anti-war protests of Eugene Debs and others during the First World War than as a measure against outright sabotage.<sup>26</sup> Congressional Representative Howard W. Smith, a Democrat from Virginia, had introduced the bill to combat potential communist subversion of immigrants by tracking and limiting the movements of the newcomers. “[The] mood of the House is such,” said Representative T.F. Ford, “that if you brought in the Ten Commandments today and asked for their repeal and attached to that request an anti-alien law, you could get it.”<sup>27</sup> On July 29, the House approved 1939, H.R. 5138 by a vote of 272 to 48, and after a few months in conference, the Senate passed the measure without a roll call.<sup>28</sup> In addition to alien registration stipulations, the law contained an anti-sedition clause, a trading with the “enemies” clause, and a section outlining penalties for attempting to influence military personnel (of which American union leader Eugene Debs had been convicted in World War I). One congressman claimed that the act was “like the inscription on a sword. What matters is the existence of the weapon. Once the sword is placed in the hands of the people in power, then, whatever it says, they will be able to reach and slash at almost any unpopular person who is speaking or writing anything that they consider objectionable criticism of their policies.”<sup>29</sup>

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<sup>25</sup> “Issei Experience in Orange County”, California, O.H. 1758, Kenji Kikuchi Interviewed by Arthur A. Hansen on August 26, 1981, Historical and Cultural Foundation of Orange County, Japanese American Council, and California State University Fullerton, Oral History Program, Japanese American Project Honorable Stephen K. Tamura Orange County Japanese American Oral History Project.

<sup>26</sup> In 1918, Eugene Debs, an American labor leader and Socialist Party member, was arrested, convicted and sentenced to serve ten years in a federal penitentiary for an anti-war speech given in Canton, Ohio. *Debs v. United States*, 249 U.S. 211 (1919).

<sup>27</sup> Clye E. Willis, *Students Guide to Landmark Congressional Laws on the First Amendment*, (Westport CT: Greenwood Publishing, 2002), 27.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*, 28.

The Roosevelt Administration was slow to utilize the 1940 act. According to Deputy Attorney General John Rowe, Francis Biddle assumed the attorney generalship with the intention that he “was going to make sure he was not like his predecessor Palmer of the 'Red Raids' during the Wilson days, and he was a great believer in civil liberties.”<sup>30</sup> Approximately a year after the law's passage, Roosevelt first used the data generated by the law amidst fears of imminent war with Germany, Italy, and Japan, but only because the Federal Bureau of Investigation (FBI) had suffered recent scandals for investigating administration officials for alleged communist sympathies.<sup>31</sup> In one very high profile case, the former White House First Lady's secretary, Edith Helm, was investigated by the FBI under secret congressional order before she was allowed to assume her position on a congressional war planning committee. FBI interviews of the neighbors of Helm, the widow of a highly decorated admiral, earned national press attention and left J. Edgar Hoover unable to hide behind Congress.<sup>32</sup> Hoover accordingly became very circumspect about whom he would investigate without direct approval from the White House.

Consequently, the Alien Registration data fell to Justice Department legal advisers ill-equipped to handle the material. This group included Solicitor General Charles Fahey, Assistant Attorney General Frank Shay (who was replaced after Pearl Harbor by James Rowe), and a senior aide to the Attorney General, Edward Ennis. They had no background in investigation and were working with incomplete information. They attempted to ascertain individuals' loyalties by examining their occupations, political orientations, and stated affiliations, but with no experience in making such judgments and only the most limited of guidance from the White House. In a January 27, 1940 memorandum written by the Secretary of State, Cordell Hull remarked that the

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<sup>30</sup> Rowe Testimony, Internment Commission Files, Box118, John Rowe Papers, FDRPL.

<sup>31</sup> Ibid.

<sup>32</sup> Federal Bureau of Investigation File 62-HQ-60512, Subject: Investigation (“loyalty check”) of Edith Helm, Social Secretary to Eleanor Roosevelt, 1940-1956, Federal Bureau of Investigation, June 18, 2010, Government's Attic. Internet Link: [http://www.governmentattic.org/3docs/FBI-EdithHelm\\_1940-1956.pdf](http://www.governmentattic.org/3docs/FBI-EdithHelm_1940-1956.pdf) Accessed: 2/3/2013.

President had indicated that “some may be criminals, some spies and some coming here with definite objective of committing act of sabotage” but, he also asserted that “some may also be refugees.”<sup>33</sup> This lack of proper analysis created a policy opening, which allowed an absence of evidence to be considered evidence of wrong-doing in itself and, thereby, offering the West Coast’s prejudices to infect the decision-making process. The resulting vacuum, as you will see, was filled by the civilian racist charges and the administrations predispositions against Asian-Americans

The chore of identifying dangerous aliens was as impossible as it was unnecessary. While there is some reason to believe most of the Justice Department did not know about Hoover's own Custodial Detention lists, the order for the lawyers in Justice to use the Alien Registration Act material had come from the president himself. This duplication of effort could be construed as one of many examples of Roosevelt's attempt to provide a check on bias within the executive branch. More likely, Roosevelt placed the most visible members of the Justice Department on the task both to satisfy Congress and to cover the more clandestine FBI efforts to compile shorter and more accurate lists of suspects. Still, the lawyers in Justice had a job to do, and their only guidance was the presumption of guilt embodied in the enemy alien statutes. “[W]hat they were doing was trying to make a selection of the German, Italian, and Japanese aliens, enemy aliens who might have thought were dangerous.... [They] would take a dangerous German and if the evidence showed he was very dangerous he was an ‘A.’ If the evidence was good, he was an ‘AA-1.’ If it was poor, it was an ‘A-4.’”<sup>34</sup> So gut checks replaced learned thought. This absence of intellectual analysis led the administration to view the absence of evidence of loyalty, such as past military service, to be the cultivated suspicion of disloyalty along racial lines.

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<sup>33</sup> Secretary of State, VMS, Memo, January 27, 1940, Folder OF 2603, Sabotage, 1940-1945, Box 1, President's Official Files, FDRPL.

<sup>34</sup> Rowe Testimony, Folder Internment Commission Files, Box118, John Rowe Papers, FDRPL.

Given the disproportionate number of fewer sources to the 934,100 German, Italian, and Japanese alien cases, the Justice Department would later convene over one hundred Alien Enemy Custody/Detention Boards to evaluate the potential security of each alien based on the available intelligence, mostly against Issei and Nisei on the West Coast.<sup>35</sup> While the documentary evidence about the boards and their proceedings is scanty, it is clear that the sheer volume of cases encouraged the reviewers to abandon the World War One-era standard of 2,000 detained individuals in favor of a larger number, fueled by a pre-emptive security bias against enemy aliens resident on the West Coast. Often the criteria for detention were membership in organizations funded by Japan or pro-Japanese presses. One Naval intelligence report claimed, “the most dangerous [aliens] are either already in custodial detention or members of such organizations as the Black Dragon Society, the Kaigun Kyokai (Navy League), or the Hoirusa Kai (Military Service Man's League), or affiliated groups. The membership of these groups is already fairly well known to the naval intelligence service or the FBI Federal Bureau of Investigation and should immediately be placed in custodial detention, irrespective of whether they are alien or citizen.” Still, at least a few within the intelligence community and Justice Department were hesitant to place too much emphasis on the evidence gained under the alien acts. “That, however,” they qualified, “there are among the Japanese, both alien and United States, certain individuals, either deliberately placed by the Japanese government or actuated by a fanatical loyalty to that country, who would act as saboteurs or agents. This number is estimated to be less than 3% of the total, or about 3500 in the entire United States.”<sup>36</sup> In the end, there were just too many cases, too little accurate intelligence, and too much suspicion bred into

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<sup>35</sup> Ibid.; Justice Department Press Release, December 2, 1942, Folder Saboteurs, Box 3, Francis Biddle Papers, FDRPL.

<sup>36</sup> FBI LA Report, Subject: Regarding Japanese Activities, Los Angeles, January 20, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

the system for rational decision-making, recasting the Issei and Nisei by the ruling as outliers beyond the periphery of American loyalty.

In essence, the federal government had indirectly ostracized the Issei and Nisei from their neighbors in concurrence with the dissembling of the army and the rise of West Coast militarization. By international policy, they had reduced many to poverty. By national policy, they had branded the Issei as de facto enemies of the state. Finally, through an absence of evidence they had cast a suspect light of disloyalty upon those vulnerable individuals of Japanese ancestry. Where DeWitt had inadvertently protected the Issei and Nisei by ignoring the civilian sector, the federal government's policies had not only stripped them of the protection anonymity provided, but had also, in effect, presented them as the perfect scapegoats for any domestic security crisis.

The intelligence assembled under the 1940 and the judgments based upon it remained classified information in the Justice Department throughout the war, but, nevertheless, the boards' decisions had an immediate and devastating impact on the West Coast Issei and Nisei. Shortly after Roosevelt declared the Japanese, Italians, and Germans to be Enemy Aliens late on December 7, 1941, the Justice Department deployed FBI agents from the Los Angeles and San Francisco offices with the Justice Department's lists throughout the West Coast.<sup>37</sup> In the process of arresting Japanese consulate officials and the few known spies, they also began arresting members of the Japanese American Citizens League, publishers of Japanese language papers, officers of Japanese social clubs, and private business owners. Initially, the arrests were met with silence by Issei, Nisei, and the press alike. Further federal regulations on Enemy Alien travel and the possession of firearms, shortwave radios, cameras and other items were similarly met without

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<sup>37</sup> "Japanese Aliens Roundup Starts-FBI Seize 300 Subversives and Plans to Hold 3000 Today," Los Angeles Times, December 8, 1941, p.1.

resistance. Within the first forty-eight hours of the December 7<sup>th</sup> proclamation, more than 1000 of the “most dangerous Japanese, German and Italian aliens” were in FBI custody.<sup>38</sup> By the end of December, the number had risen to more than 3000. Though some Issei were released after the status of arrestees had been documented, many Issei and Nisei withdrew from public life and remained muted for fear of arrest. Others, including members of the Japanese American Citizens League, began informing on fellow members.<sup>39</sup> Many feared being sent to the secret “detention camp” purportedly being erected on an unnamed military base in the southeastern United States.<sup>40</sup> Moreover, the arrests had deprived the West Coast Japanese communities of their more prominent leaders and negotiators. As a result, the Issei and Nisei were largely now both voiceless and suspect in federal circles.

With the foundation of suspicion laid, the West Coast began an active (if initially ineffective) campaign to ostracize and, eventually, force the removal of the Issei and Nisei from the region. The print media’s coverage inched from myopic to malevolence, showcasing the legislated isolation of the social group as subtext for the ongoing bloody events of the Pacific War. Thereafter, the media advertized the ill-preparedness of the region’s civil defense forces to combat threats the army refused to handle, providing room for suspicions of potential wrongdoing to flourish against the Issei and Nisei. This racially-based subtext of faux suspicion became linked to national events when the Roberts Commission revealed an active Japanese spy network had been at work in Hawaii in advance of the Pearl Harbor attack. Eventually, faux suspicion and the region’s culture of militarization merged, threatening the lives and livelihood of the Issei and Nisei.

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<sup>38</sup> Justice Department Press Release, December 2, 1942, Folder Saboteurs, Box 3, Francis Biddle Papers, FDRPL.

<sup>39</sup> Memorandum Subject: Regarding LA on JCL, January 20, 1942, FBI Headquarters 61-10556, Section 15, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>40</sup> “Alien Rules Put in Effect,” Los Angeles Times, December 19, 1941, Part I, A.

Print media also played an important role in shaping West Coast residents' perceptions of the war and the increasing isolation of individuals of Japanese ancestry from the greater West Coast populace. In the six weeks following Pearl Harbor, the leading newspapers escalated in both subject matter and rhetoric from irrational fear to irrational malevolent action, which would culminate in evacuation in February 1942. The escalation is discernible in four subjects covered by the press: (1) the Pearl Harbor attack and the Hawaiian island aftermath, (2) war preparedness (Civil Defense and regional war preparedness), (3) raiders and (4) the Roberts Report on the Pearl Harbor attack. In the early wartime coverage, the enemy was depicted first as an overwhelming and highly accurate military force, then as an amorphous threat, and, finally, as an animal-like predator who relied on cunning and underhanded tactics to achieve its violent goals.

The West Coast media had portrayed Pearl Harbor as a forward defensive military base and a median point for transiting the Pacific Ocean, but, by mid-January, the site had become a symbol of Japanese military capabilities and, dually, their capacity for harming Americans. In the weeks following the devastating attack, newspapers carried four types of features on Pearl Harbor. First, some, best described as tales of heroism, featured personal acts of sacrifice in the face of violent death. "Remember the lone bluejacket," one feature reported Secretary of the Navy Frank Knox, saying at a press conference, "who manned a 5-inch anti-aircraft gun and kept it firing after 10 battery mates had been shot down in a strafing attack."<sup>41</sup> In an Oakland newspaper, an article offered a memorial to a locally born naval officer, Lieutenant Delmar Barnes, who had been killed in the attack.<sup>42</sup> By failing to define the enemy by geographic position or number, the ambiguity allowed readers to more easily see Japanese nationals living in the United States as components of the Japanese empire.

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<sup>41</sup> "Pearl Harbor Heroism Told in Knox Report of Battle," Bakersfield Californian, December 16, 1941, 3.

<sup>42</sup> "Oakland Naval Officer, Who Rose from the Ranks, Killed by Japanese in Sneak Attack," Oakland Tribune, December 16, 1941, p. 20 D.



Rapidly, the drumbeat for vengeance against Japan (and thereby the Issei and Nisei) became more personal for West Coast residents. Other newspaper features covered the mournful side of the story, describing in detail the damage inflicted on the fleet and, more importantly, the number of local residents serving in the military who died in the attack. For example, ten days after the attack a feature ran in the *Oakland Tribune* on the burial rituals for the deceased American soldiers. In an interview with AP reporter Eugene Burns, one of the surviving defenders, Chaplain Captain William A. Maguire, explained, “I was in the thickest of the attack....Our 130,000,000 Americans would glow if they could have seen how our boys died. It was glorious. Nay a whimper! They manned their guns ....And while all this heroism was going on those Japs still were machine-gunning... Badly burned men without clothes carrying blankets begged me, ‘I want to get back to my ship. I want to get back to my gun.[sic]’”<sup>43</sup> These features commonly depicted the attack in the context of the number of American dead at the hands of a merciless enemy, working with individual hands under the guidance of one imperialist mindset. Such stories framed the Japanese as a vicious, unrelenting, and immoral foe, which perceptually reinforced the prejudiced Caucasian populace’s inclusion of the domestic Issei and Nisei with their national enemy, the Empire of Japan.

Still other stories featured in the local media served as a vehicle for the transposition of a devastated Hawaii into a cautionary tale for West Coast residents. They featured the plight of the islands’ civilians and the subsequent shiploads of refugees being evacuated from Oahu to temporary quarters stateside. These articles examined the radical change in the lives of Hawaiian families who had come under fire during the Japanese attack and their forced removal from the islands, an attempt to place women and children beyond the immediate dangers of a combat zone. While these stories of evacuation and resettlement were told as parables of civilian

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<sup>43</sup> “Nation Buries Hero Dead in Hallowed Pearl Harbor Earth,” *Oakland Tribune*, December 17, 1941, p. 3.

survival, the articles also brought home the personal horrors of war in a way readily comprehensible to Californian residents and implied that no one's home was safe from enemy predation.<sup>44</sup> The West Coast culture of militarization now had a scapegoat.

Regional newspapers also provided a series of features on the preparedness of the Civil Defense of the Pacific Coast, which appears to have been an attempted counterpoint to their shallow Pearl Harbor coverage. The coverage dovetailed with a drive for “vigilance” and community unity. Some articles featured prominent members of the Issei and Nisei community, including members of the American Legion.<sup>45</sup> Others covered the unilateral actions taken by city mayors, the governor, and the state Attorney General.<sup>46</sup> Yet, in a matter of days after Pearl Harbor, newspapers were reporting extensively on renewed political in-fighting over Civil Defense plans, first between Governor Olsen and Attorney General Warren, and then Olsen versus the state's assembly and the city.<sup>47</sup> The points of contention included the powers of the governor to call out the troops and for how long, the size of the civil defense troop allotment for the state and who would pay for it.<sup>48</sup> General DeWitt's initial refusal to apply the military to internal security tasks and the influence of the federal Office of Civil Defense rapidly accelerated the divisions. Angelo Rossi, the mayor of San Francisco, demanded \$3.3 million for his city's civil defense.<sup>49</sup> Others wanted a state guard no larger than 21,600.<sup>50</sup> Olson demanded the state assembly pass legislation authorizing \$27 million for the defense of the state. Others, such as Earl Warren, countered that the governor was not empowered as a war president, but, as their nation was now engaged in “a total war,” the federal government needed to fund the defense of

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<sup>44</sup> “SF Evacuees reach Nevada,” San Francisco Examiner, December 13, 1941, p.1.

<sup>45</sup> “Legion Post, with Japanese Membership, Condemns Tokyo,” Los Angeles Times, December 19, 1941, p.1.

<sup>46</sup> “Olson's Authority to Proclaim State of Emergency Challenged,” Los Angeles Times, December 19, 1941, p. 2.

<sup>47</sup> “Warren Wraps Olson Emergency Orders,” San Francisco News, December 18, 1941, p. 1.

<sup>48</sup> “25,000 Sought in S.F. For Civilian Defense,” San Francisco Examiner, November 11, 1941, p. 2; “Olson's Authority to Proclaim State of Emergency Challenged,” Los Angeles Times, December 19, 1941, p. 1.

<sup>49</sup> Ibid.

<sup>50</sup> “State Guard of 21,600 Planned,” San Francisco Examiner, January 5, 1942.

the Pacific Coast against this foe who could, purportedly, strike at will anywhere in the world and, Warren feared, already had supporters inside the United States ready to strike.<sup>51</sup> In many ways, the political controversy echoed the patterns of the almost year-long dock strikes, with Warren's camp accusing Olson of imperious unilateral action and Olson charging his detractors with obstructionism. As a result, the Pacific coast interior remained largely visibly unprotected.

Initially, many had seen humor in the coast's lack of preparedness. Readers contextualized anxieties with amusing war preparedness anecdotes. For example, in November 1941, West Coast newspaper readers and radio listeners were entertained by the exploits of the Los Angeles Police Department's response to a caller's report of enemy planes over the city's suburbs. Two police cars, equipped with new radios, raced to the scene, where they identified a lone, unidentified high-flying plane. They gave chase, but when the object eventually fell to earth, the police were surprised to find their quarry was a large toy glider that had been carried off by high Pacific winds.<sup>52</sup> After the first air raids and submarine attacks off the coast, some citizens continued to find humor in the war, but the focus of the humor changed from the bumbling officers over a feigned enemy in the skies to the overactive imaginations of civilians jumping at fifth column shadows. For example, in one air raid, a journalist reported that numerous witnesses had seen glowing eyes atop a tall building staring out at the ocean. Fearing a "fifth columnist" on an adjacent rooftop, the neighbors informed a nearby patrolman, who scaled the building's fire escape, shined his flashlight on the rooftop, and discovered the eyes belonged to a curious neighborhood cat.<sup>53</sup>

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<sup>51</sup> "Warren Wraps Olson Emergency Orders," San Francisco News, December 18, 1941, p.1-2.; Earl Warren, Atty. Gen., State of California, "Martial Rule in Time of War," Syllabus of Lecture, Practicing Law Series, Stanford Law Society, Commercial Club, June 4, 1942, Box 1, Lyle Cook Papers, USAHEC.

<sup>52</sup> "Toy Glider Falls and Daly City Gets Excited," San Francisco News, November 1, 1941.

<sup>53</sup> "Spies on the Roof! Meeow!" San Francisco News, December 13, 1941

Although admittedly a humorous wartime anecdote, the story of the cat also serves to underline the lack of intellectual thought rampant during these proceedings. The individuals involved did not see the facts of each situation for what they were. Instead of engaging in conscious thought, they began to project their inner fears onto external situations. Although the perception of a cat as an enemy agent would be considered harmless, this methodology, as we shall see, served as a constant vehicle for the sum of the West Coast population's wartime frustrations and prejudice for non-caucasians.

The political tete-a-tete likely would have continued unchanged for months were it not for a sudden rise in both air raid and blackout alarms and the onset of unrestricted submarine warfare off the Pacific Coast. Over the course of two months, nearly twenty attacks were made against ships heading towards or away from several of California's ports, including several attacks on tankers.<sup>54</sup> Passenger ships were strafed by enemy gunfire.<sup>55</sup> Some were torpedoed within sight of Los Angeles. This confluence of political deadlock, poor defense preparation, and the already established media pattern of describing sudden attacks perpetrated by an amorphous, deadly, savage, and seemingly omnipresent enemy shattered the prior appeals for Pacific coast unity. The West Coast culture of militarization, which had long nourished the regional economy, now had a very visible cost. More importantly, the long-harbored individual suspicions about the alleged "differentness" of the Japanese, constructed by a century of anti-Asian laws, made the leveling of suspicion on resident Issei a certainty.

The investigations surrounding the first federal evaluation of the Pearl Harbor Disaster became a watershed moment for West Coast newspapers.<sup>56</sup> Called the Roberts Report for

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<sup>54</sup> The History of the Western Defense Command, Volume 4, Appendix 6, 1-12, USAHEC; "Tanker Escapes Sub, Safe in S.F.," San Francisco Examiner, December 27, 1941, p.1.

<sup>55</sup> "Huge Clipper, Strafed by Japs, Safe in S.F.," San Francisco Examiner, December 11, 1941, p.1.

<sup>56</sup> "Scope of Hawaii's Spy Army Told," Los Angeles Times, December 31, 1941, p.1.

chairman Supreme Court Justice Owen Roberts and comprised of military personnel, the FDR-ordered panel was commissioned to investigate the immediate causes for the Pearl Harbor disaster, review highly classified intelligence material related to the known events surrounding the attack, and make unclassified level recommendations to Congress and the White House to prevent future recurrence.<sup>57</sup> As most of the material related to the Pearl Harbor attack consisted of the most vital intelligence material of the war (notably the MAGIC decrypts), the report to Congress was purposely short, held few details, and failed to resolve many of the underlying questions concerning the attack.<sup>58</sup>

Formally given to Congress and disclosed to the press on January 23, 1942, the Roberts Report concluded:

although the Pearl Harbor base had advanced technology, training, and troops, the army and navy had been caught entirely unaware of the attack a fast attack carrier group had struck the naval base in a complex air operation an elaborate, comprehensive, and long-duration Japanese intelligence operation had prepared the data used in the attack.<sup>59</sup>

While it aided in reshaping intelligence operations and interservice cooperation, the report, reprinted in the nation's leading papers in total, was a heavy blow to the already tenuous Issei and Nisei relations with their West Coast neighbors. The report depicted a stark contrast between the level of military preparedness at Pearl Harbor and the now readily apparent state of civil and military unpreparedness to defend the Pacific Coast. To the general public, the seaborne air attack bore striking similarities in tactics to both the imagined air raids of early December and

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<sup>57</sup> In addition to Justice Roberts, the commission also included Admiral William Standley, Admiral Joseph M. Reeves, General Frank R. McCloy and General Joseph T. McNarey. 77th Congress, Senate, Document, 2d Session, No. 159, *Senate Attack Upon Pearl Harbor by Japanese Armed Forces, Report of the Commission Appointed by the President of the United States to Investigate and Report the Facts Relating to the Attack Made by Japanese Armed Forces Upon Pearl Harbor in the Territory of Hawaii on December 7, 1941*, S. Docs., 77-2.

<sup>58</sup> A discussion of MAGIC and other aspects of the intelligence community operations will be discussed in chapter five.

<sup>59</sup> 77<sup>th</sup> Congress, Senate, Document, 2d Session, No. 159, *Senate Attack Upon Pearl Harbor by Japanese Armed Forces*, 8 – 8.

the later January submarine-borne air raids on Oregon and Washington. That the Japanese Empire had preceded their attack by launching a large intelligence operation fed into the already mounting erroneous suspicions about the West Coast, resident Issei and, to a slightly lesser extent, the Nisei.<sup>60</sup> The selectively released information also collided with the separately implemented federal policies concerning Enemy Aliens and the longstanding racially based suspicions of the West Coast population, generating a spiraling mixture of heightened regional defense insecurity and greater distrust for persons of Japanese ancestry. Instead of diffusing tensions by demonstrating the effectiveness of the Justice Department, the now daily raids to question or detain enemy aliens reported in the press became de facto evidence for many that an extensive intelligence operation similar to the one preceding the Pearl Harbor attack was also underway on the West Coast. Similarly, the later Justice Department order that aliens surrender cameras, radios, maps, and weapons was viewed in the press as further validation of an erroneous theory. The disclosures had been intended to diminish the fears of the general populace and to return the nation to unity. Instead, the Roosevelt Administration's actions had placed the West Coast more firmly on the razor's edge, reinforcing the local's prejudicial beliefs against the Issei and Nisei. Consequently, readers inferred that the Pacific coast was unsafe, their leaders were untrustworthy, and their Asian neighbors might have been plotting their demise all along. The notion of removal of the Issei and Nisei had now moved from a solely prejudicial belief to a prejudicial belief cloaked in the context of West Coast security.

Surrounded by a burgeoning industrial economy with deep linkages to the American military's war efforts, the Whites Only Californians now pressed the federal government to

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<sup>60</sup> "Complete Blame for Hawaiian Disaster Laid to Kimmel, Short," Los Angeles Times, January 25, 1942, Front Page; "New West Coast Raids Feared," Los Angeles Times, January 25, 1942, Front Page; "Text of Report on Hawaiian Attack," Los Angeles Times, January 25, 1942, p. B; "Hawaiian Defense Plan Adequate but Not Used." Los Angeles Times, January 25, 1942, p. 3.

accept their racial assertion that the Issei and Nisei were too dangerous to remain on the West Coast. Hence, the California governor also placed the onus for preventing sabotage on the “other.” He claimed their loyalty would be proven by acting as informers, but this was a political trap for the Issei Nisei. Their disclosure of others alleged enemy activities would have served to fuel a second opportunity to achieve removal of the Issei and Nisei. By inference, if no information were forthcoming, suspicions would flourish about the Issei and Nisei in this climate of fear. Likewise, if the Issei and Nisei demonstrated their “loyalty” to Olson's satisfaction, the publicity from the subsequent arrests would legitimize Olson's original post-Pearl Harbor characterization of the “other” as too dangerous to be left in California. For him, it was a win/win situation.<sup>61</sup> The drumbeat for removal had begun in earnest.

Likewise, the weeks and months following Pearl Harbor demonstrated a shift among the print media and leading West Coast politicians away from the prewar standards for judging the Issei and Nisei to a decidedly active perspective of all Issei and Nisei as potential enemies of the United States. A close look at the usage of the term “fifth column” from prewar to wartime America also serves to stress the underlying motivations of this transitional period. Prior to the war, hotel and dock worker strikes had often been described by the media as terrorist acts due to their literal disruption of area work and the immediate slowdown of a sluggish economy trying to recover from the decade-long Great Depression. Some strikes, such as by grocery wholesalers, were limited in duration, fairly peaceful, and limited to the neighborhood level.<sup>62</sup> Others, however, were longer, larger, threatened large urban economies, and struck a far more violent tone. For example, in mid-November 1941, a major San Francisco hotel strike rapidly devolved

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<sup>61</sup> “Loyal Japs Must Aid Fight against Sabotage, Says Olson,” Los Angeles Times, February 5, 1942, p.1.

<sup>62</sup> “Grocery Strike Hits San Diego,” Los Angeles Times, November 2, 1941, p. 1.

into vigilante violence, which included the beatings of several strikers.<sup>63</sup> Still others, such as a statewide welders' strike, paralyzed California shipping and shipyard industries.<sup>64</sup> The strike lasted for months and was only temporarily suspended when news of Pearl Harbor reached California. While confined to their local areas, each contributed to the urban and economic instability of the West Coast and earned working class laborers the label of “terrorists.”<sup>65</sup> This climate of civil disruption by special interest groups also carried over into the Second World War. The feared fifth columnists, espionage agents preparing the way for a mass invasion force, were originally portrayed as the motivating forces “behind pacifism and socialism under the guise of religion.”<sup>66</sup> Furthermore, these findings also bore an eerie similarity to the opening hours of the actual fall of Poland, Malaysia, and Thailand as well as the erroneously reported loss of Manila to fifth column insurgencies in the hours before their invasion by Axis armies.<sup>67</sup> By the end of January 1942, the negative appraisals of California workers and labor organizers were almost entirely replaced in the local newspapers by similar portrayals of the Issei and Nisei. By late January, public fears were being expressed in San Diego against small Japanese family fishing boats.<sup>68</sup> The only answer offered was not tolerance, but removal.

The tradition of the Vigilance Committee reemerged as a dominant player in West Coast politics. Similar to the “civil defense” mobs of early December, small lynch mobs spontaneously formed around individual Issei and Nisei. For example, on December 19, 1941, in Los Angeles a large crowd gathered around Tsunenori Yamauchi, a male resident of Japanese ancestry who had rear-ended another car. In a matter of minutes, the mob descended upon the man, beating him

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<sup>63</sup> “Violence Renewed in SF Hotel Strike; 2 Workers Beaten,” San Francisco Examiner, November 10, 1942, p. 1.

<sup>64</sup> “Long Beach Shipyards Work Halted by Welders Strike,” Los Angeles Times, November 3, 1941, p. 1.

<sup>65</sup> “Terrorists in Hotel Strike to Face Jail,” San Francisco Examiner, November 11, 1941, Front Page.

<sup>66</sup> “Liberal Churches Held Prey for Fifth Column,” Los Angeles Times, December 1, 1941.

<sup>67</sup> “Manila Fifth Column Active,” Los Angeles Times, December 10, 1941, C.

<sup>68</sup> “Jap Fishing Threat Seen Below Border,” Los Angeles Times, January 22, 1942, p. 1.



severely until the police intervened.<sup>69</sup> Other groups began acting as self-appointed neighborhood watchers. Before long, these individuals had garnered enough local support to form Vigilance Committees for "fighting off commandos....and fifth columnists [who are] attacking means of communication, plans for war production, power, lighting, water supply, and the like."<sup>70</sup> Some established organizations, such as the Hearst press, began offering free firearms lessons to assist civilian militia in lieu of the still largely absent state guard and limited federal national security resources.<sup>71</sup> By the end of January, little headway had been made by city and state officials on either the civil defense budget or the extent of the powers of the governor in wartime. Moreover, as Earl Warren was being urged by the newspapers to announce his candidacy for governor to run against Olsen, there was little left upon which the West Coast politicians could agree. In fact, they were now unified by an almost universal distrust of the Issei and Nisei.

The Executive Branch had not anticipated the repercussions of any of their prewar or early war policies on California, but they should have. During Roberts's investigation in late December 1941, a few of the findings were leaked to the press, concerning the establishment of a Japanese intelligence network for the attack on Pearl Harbor. On December 30, 1941, the *Los Angeles Times* lead story embellished the Roberts Report's preliminary findings with suppositions to conclude, quite erroneously, that in addition to an intelligence network, the Japanese had planted an extensive fifth column on the island. While failing to address why no such extensive network had as yet been uncovered or the culprits arrested en masse, the article also claimed that several recent fires had been seen on the island in the shape of "big arrows" pointing "to military objectives," that "Japanese vegetable dealers had knowledge about

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<sup>69</sup> "Japanese Threatened by Crowd After His Car Strikes Woman," *Los Angeles Times*, December 19, 1941, p. 1.

<sup>70</sup> "A Proposal Submitted by the Commonwealth Club Regarding the 'Disjunction of Military Command in Total War in the Pacific States,'" April 28, 1942, Folder Aliens, Box 1, Formerly Top-Secret Correspondences, Secretary of War Stimson, July 1940-September 1945, RG 107 Office of Secretary of War Stimson Papers, NARA.

<sup>71</sup> "Hearst Papers Offer Training in Use of Rifle," *San Francisco Examiner*, January 1, 1942, P. 4.

movements in and out of ports of .....,” and that “Japanese truck drivers, I was told, drove from side to side of the road from Honolulu to Hickman Field to delay American pilots who were frantically trying to reach their planes.”<sup>72</sup> Within two weeks, similar stories were appearing in newspapers throughout the Pacific Coast and, by the end of February, army and navy switchboards were being overloaded with calls from individuals claiming to have seen similar “arrows of fire” near Seattle.<sup>73</sup>

In the early 1930s, the Roosevelt Administration had directed Army Intelligence (G-2) to look into reported suspected Japanese intelligence activities based out of Hawaii.<sup>74</sup> As discussed in chapters two and five, these suspicions arose in part from the Japanese diplomatic communiqués between the home island of Japan and their American-based embassies and consulates. While many of the messages decrypted by military intelligence featured different on-going intelligence operations around the United States, the most concentrated area for enemy activity appeared to be Hawaii. Due to jurisdictional problems, which will be discussed in chapter five, the FBI, G-2, the Office of Naval Intelligence (ONI), and the local police were repeatedly stymied from conducting deeper investigations by unclear guidelines for investigation and limited manpower.

In response to his own mounting frustration, Roosevelt, unable to discern the number and intentions of the spies had mused in a responding memo that, as Hawaii was not bound by constitutional law (being a protectorate under military observation in peacetime and governance in war), “every Japanese citizen or non-citizen on the Island of Oahu who meets these Japanese ships or has any connection with their officers or men should be secretly, but definitely identified

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<sup>72</sup> “Scope of Hawaii's Spy Army Told,” Los Angeles Times, December 30, 1941, Pg 2 W, Pt 1.

<sup>73</sup> “Big Arrows Point to Military Objectives” Los Angeles Times, December 30, 1941, Pg 2 W, Pt 1; FBI Director J. Edgar Hoover Memorandum to Tolson, and Tamm, Subject: Regarding Army's Actions on West Coast, December 17, 1941, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>74</sup> Peter Irons, *Justice at War*, Berkley: (Cambridge: Oxford University Press, 1983, p.19-20

and his or her name placed on a special list of those who would be the first to be placed in a concentration camp in the event of trouble.”<sup>75</sup> As already established, FDR’s speculation was, in part, keeping with both the precepts of the Espionage Act and the later outlined of the Enemy Aliens Act. Moreover, as military historian Gordon Prange demonstrated in *At Dawn We Slept*, Japanese Naval Intelligence was conducting the operations MI and FDR had suspected were ongoing in preparation for the December 7, 1941 attack on Hawaii. No one, however, discovered the intent of Japan’s gathered intelligence.<sup>76</sup>

Yet, Roosevelt did not order a mass internment in Hawaii at that time for several reasons, including the identification and separation of the known spies (many of whom had served with diplomatic immunity out of the resident consulate), the representative size of the Issei and Nisei resident populace, and the imposition of military law over the protectorate upon the commencement of hostilities. As will be discussed in chapters five through seven, both the nation’s intelligence capabilities and FDR’s own views on internment also changed due to other circumstances, but, for the time being, such an undertaking at the time was considered unnecessary and, as we have seen, an implausible waste of manpower the WDC did not have. Likewise, the pressure DeWitt was feeling from the civilian populace of the West Coast did not exist for the historically multi-ethnic culture of the Hawaiian islands. Lastly, as will also be discussed in the following chapter, many within both Justice and the War Department initially refused to believe the emerging West Coast Issei and Nisei espionage/sabotage accusations to be little more than racially motivated scapegoating. This perspective, however, would soon change.

By the end of January, the domestic turmoil was further compounded by the renewed and increasingly visible actions of Japanese submarines against West Coast shipping. Humorous

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<sup>75</sup>Greg Robinson, *By Order of the President: FDR and the Internment of Japanese Americans*, Harvard University Press, 2001) p.56

<sup>76</sup> Prange, *At Dawn We Slept*, p. 251 and 443.

stories about the foibles of defense were quickly replaced by fear-driven gossip. Although the incidents were proven false by the FBI and local law enforcement, journalists frequently reported specious stories featuring mysterious coded flashes from darkened shorelines to purportedly waiting Japanese subs, bonfires being set in the shape of arrows to signal incoming Japanese planes, and aged Japanese officers waiting to take up their samurai swords against their “American” neighbors. Similarly, publications which had originally poked fun at the perceived “antiquated” Japanese social clubs before the war now suggested these same groups were in league with the Black Dragons, a Japanese organized crime syndicate.<sup>77</sup> Others claimed sabotage was afoot at vital installations, including Hoover Dam.<sup>78</sup> The transition from the strained and strange to the irrational can also be seen in claims that the Japanese, having learned from the first air raid-induced road congestion around the major cities, intended to block the major intersections to hamper the military response to the impending Japanese invasion.<sup>79</sup> It seems both humor and objectivity had completely vanished from the news for most West Coast residents.

Unwilling to compromise and motivated by unchecked fears, politicians and readers alike began to blame the one regional minority who could not defend themselves, the Issei, for aiding in the attacks. The Issei had, in effect, transitioned from humans to objects like the cat in the air raid article, an anathema objective upon which the Caucasians piled their fear and hatred. In this climate, an increasing number of residents began to support Olson's renewed advocacy for the removal of all aliens, including Germans, Italians, and Japanese. By mid-January, local politicians and newspaper editorials were calling for the removal of the Issei and Nisei as a higher priority than the evacuation of the rest of the coastal populace. Secretary of War Henry Stimson refused the petitions but privately conceded to the president, “The Californians were

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<sup>77</sup> “FBI Probes Big Western Jap Organization,” San Francisco Examiner, December 19, 1941, p. 1.

<sup>78</sup> “Sabotage Suspect Routed at Hoover Dam Substation,” Los Angeles Times, December 19, 1941, p. 1.

<sup>79</sup> “Amazing Jap Spy Plots in Hawaii are Unmasked,” San Francisco News, December 30, 1941, p. 1.

hell bent for rushing these unfortunate Japanese out of the state.”<sup>80</sup> Shortly thereafter, word reached the military and the White House that both the Dies Committee and several California congressmen in the Tolan Committee would be holding hearings on the West Coast to investigate all aspects of the resident alien situation. Thereafter, the clamor to replicate the legal separation of citizens from enemy aliens with a literal, physical separation became a constant drumbeat in the press and in political circles. The federal government would succumb to the race-based pressure and poor methodological assumptions in late February 1942.

The prewar and early war federal policies regarding aliens had been created as limited administrative aids for triaging wartime national security threats. Instead, the ill-conceived federal programs and ineffective governance intersected with long-standing prejudice, sensationalism, and the ineffectual government actions of the war’s opening weeks to produce a climate of hysteria, which was projected against the West Coast Issei and Nisei as the misperceived source of all of their problems. It was only a matter of time before the 110,000 residents of Japanese ancestry would be removed.

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<sup>80</sup> Letter from Henry Stimson to Franklin D. Roosevelt, July 7, 1942, Folder Aliens, Box 1, Formerly Top-Secret Correspondences, Secretary of War Stimson, July 1940-September 1945, RG 107 Office of Secretary of War Stimson Papers, NARA.

## **Chapter Five: Signals, Noise, and the Fog of War**

At the outset of the Pacific War, Western Defense Commander General John DeWitt demarcated the American military's responsibilities for the defense of the continental United States as terminating at the shores of the West Coast and the Alaskan tundra. Over the following month and a half, neither the failures of region's civilian populace to formulate a competent civil defense nor a correlating dangerous rising tide of anti-Asian sentiment motivated him to take responsibility for the internal security of the Western Defense Command (WDC). In mid-January 1942, the borderline between military and civilian worlds, however, was eroded by a command failure to discern an intelligence “signal” that the homeland was safe from attack amidst a cloud of false data and bureaucratic “noise,” terms which have been traditionally used by intelligence personnel and historians to describe the difference between valid intelligence and erroneous or superfluous information obscuring valid material, respectively. Over time, DeWitt came to believe that the civilians’ fears, the reported sightings of enemy forces, and numerous intercepted radio transmissions supported the validity of the growing anti-Asian sentiment. As a result, the WDC embraced the notion that the army was needed for internal security against the enemy's plans for the West Coast and their “fifth column” Issei and Nisei.

General John DeWitt's career had been shaped by the competing influences of combat experience and stateside administration. Born the son of an Army surgeon on January 9, 1880 at Fort Sidney, Nebraska, John Lesesne DeWitt witnessed from a series of outposts the decline of the army in the Plains Wars.<sup>1</sup> According to genealogical records, the elder DeWitt had been educated at Harrisburg Academy; A.B at Princeton, 1860; AM in 1863 and an MD in 1865 from

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<sup>1</sup> Arlington National Cemetery Database, Internet Link; <http://www.arlingtoncemetery.net/cdewitt.htm>, Accessed February 8, 1942.

Jefferson Medical College in Philadelphia. During the Civil War, he served with the Pennsylvania Volunteers. In 1877, he married Josephine Lesesne and retired from active service in August, 1903. John DeWitt also had two brothers, Calvin, Jr. and Wallace, who also served in the United States Army in different capacities. John DeWitt initially followed in his father's footsteps in Princeton University. Likely due to the onset of the Spanish American War, however, the son abandoned his Ivy League education to enlist in the United States Army. In the Philippines, he served as an infantry second lieutenant in the Pasig River Campaign of 1899 and took part in a number of skirmishes at the Guadalupe River and at Fort Santiago as an ordnance officer in the Quartermaster Corps. Between 1902 and 1910, DeWitt frequently rotated between combat assignments in the Philippines and state-side administration. During the First World War, DeWitt used both his combat and administrative experience, serving under Chief of Staff General John Pershing as part of the American Expeditionary Force, liaising with the 42<sup>nd</sup> Division operations with the French Army and taking part in operations at Aisne-Marne, St. Mihiel, the Meuse-Argonne, and Champagne-Marne. In January 1918, DeWitt was awarded the Distinguished Service Medal and elected an officer of the French Legion of Honor before returning to the United States.<sup>2</sup>

Brigadier General John L. DeWitt was, in fact, one of the army's few rising stars of the interwar period. On February 3, 1930, he was elevated to the rank of Major General in the Quartermaster Corps. In 1932, he received a Masters of Arts from Princeton University. Next came more postings at Fort William McKinley and a term as the Commandant of the Army War College. During the Great Depression, he managed army assets for Civilian Conservation Corps projects. According to some sources, he had even been on the short list of candidates considered

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<sup>2</sup> Lieutenant General John DeWitt Biographical Abstract, Box 3, Record Group 200 John DeWitt Papers, NARA.

by Franklin Roosevelt to become Chief of Staff. Instead, Marshall was chosen to head the army. DeWitt, it appears, had been set to drift into retirement as a newly minted Lieutenant General when he returned to California as the new head of Fourth Army and Ninth Corps. At the Presidio in San Francisco Harbor, his skills as a quartermaster and experience in battlefield command would have been instrumental in the rearmament of the American army until the Western Defense Command was activated after the Japanese struck at the Hawaiian islands.<sup>3</sup>

Yet, no aspect of his personal history or military career had prepared DeWitt for wartime command in the socio-political tempest forming on the West Coast of the United States. His initial response to the Japanese attack had been by the textbook. He had ordered theater forces to alert. He had assessed the potential for attack and alerted his superiors of the measures he had taken. He was a skilled administrator, a supply officer, and a combat officer bereft of an adequate administrative staff, supplies, and combat troops suitable to his present task, but as noted above, he possessed no skills for dealing with the civilian elements of his command zone.

DeWitt was by no means a diplomat. His extemporaneous speech of December 9<sup>th</sup> had likely been meant to shame the politicians and shock the public into organizing for their own defense. But his subsequent long silence was later interpreted by the general public as less than reassuring in the climate of false air raids and actual submarine attacks. In fact, his silence coupled with the December 19<sup>th</sup>, 1941 transfer of the Ninth Corps from California for larger training grounds in the Salt Lake City area amidst the first Japanese submarine attacks fed the fear of the army readiness to “quit SF.”<sup>4</sup> His public shaming of city politicians in Los Angeles, San Francisco, and Sacramento and his failure to come to the aid of Governor Olson in the face

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<sup>3</sup> Ibid.

<sup>4</sup> “Ninth Corps Command Quits SF,” The San Francisco News, December 19, 1941, Front Page.



of the Civil Defense debacle also failed to engender friendly relations among the civilian government.

Similarly, Dewitt's December 11, 1941 order to declare the Western Defense Command a military "Theater of Operations" arose from his geographic isolation from the chain of command.<sup>5</sup> At 2,400 miles, the WDC Commander was equidistant from both his superiors in the East and the site of the opening volley of the war in Hawaii, which was only reinforced by the slowness with which Washington filled DeWitt's December 7 wartime requisitions. According to Chief of Staff General George Marshall's own troop movement estimates, the transportation of units and supplies engaged in a full scale mobilization at East Coast training camps would have required nearly two weeks of rail travel to reinforce the Pacific Coast. This estimate, however, held two fundamental implications, which negatively impacted DeWitt's ability to command: (1) that men and supplies would be available for immediate disbursement from Eastern and Southern depots and (2) that the War Department would see the need as their Defense Command adjutants had.<sup>6</sup> The East Coast's response to DeWitt's requests was thus both limited and, until March 1942, underwhelming. For example, Stimson's emergency deployment of planes to California in the aftermath of Pearl Harbor took one week.<sup>7</sup> Over a month passed before the West Coast received enough planes to provide a partial air patrol shield over limited sections of the West Coast shoreline. There were never enough planes sent to the WDC to provide full air coverage. In another example, the troops requested by DeWitt in December 1941 to reinforce the coastline

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<sup>5</sup> The History of the Western Defense Command Volume 4, Appendix V Western Defense Command, United States Army, September and October, 1945, 1, USAHEC.

<sup>6</sup> Millis, ed., *The War Reports*, 72.

<sup>7</sup> Telephone Conversation between General Marshall and General Dewitt, December 8, 1941, 7:55am, Folder Border Restricted Zones 381.4-Folder, Entry Number 11, Administration Section, Box 16, Record Group 499 Records of the U.S. Army Defense Commands, NARA.

did not materialize until April 1942.<sup>8</sup> The deprivation of resources for a declared combat zone was more like DeWitt's time in the Philippines than a stateside command.<sup>9</sup>

By contrast, in January, 1942, DeWitt held autonomous command over WDC administration and the forces he did have, including the process to distinguish friend from foe among the residents. In the months leading up to the war, General DeWitt was asked about the potential need to remove enemy aliens from his command from fears for domestic security.<sup>10</sup> DeWitt responded that there was no threat to security from enemy aliens. In a December 26, 1941 telephone conversation with Albion Gullion of the Provost Marshal's office, the question was revisited. Amid the process of evaluating the emergent needs of the WDC and Governor Culbert Olson's failed call for alien removal, DeWitt said:

I thought that thing out to my satisfaction.... If we go ahead and arrest the 93,000 Japanese, native born and foreign born, we are going to have an awful job on our hands and are very liable to alienate the loyal Japanese from disloyal.... I'm very doubtful that it would be common sense procedure to try and intern or to intern 117,000 Japanese in this theater.... I told the governors of all the states that those people should be watched better if they were watched by the police and people of the community in which they live and have been living for years.... and then inform the F.B.I. or the military authorities of any suspicious action so we could take necessary steps to handle it ... rather than try to intern all those people, men, women and children, and hold them under military control and under guard. I don't think it's a sensible thing to do.... I'd rather go along the way we are now ... rather than attempt any such wholesale internment.... An American citizen, after all, is an American citizen.<sup>11</sup>

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<sup>8</sup> The History of the Western Defense Command, Volume 1,10-11, USAHEC; Records of a Telephone Communication between General George Marshall and General John DeWitt, December 8, 1941, Subject: Japanese Obtain the Same Character Data on Bremerton Navy Yard that They Obtained on Pearl Harbor; Antiaircraft Situation: Expect Bombing Attack on Pacific Coast With No More than 5 Min. Warning. Folder Border Restricted Zones, 381.4, Box 16, RG 499 U.S Army History of the Defense Commands (World War II) Records, NARA.

<sup>9</sup> Brian Linn, *The U.S. Army and Counterinsurgency in the Philippine War, 1899-1902*, (University of North Carolina Press, 1989), 106-107, and 114.

<sup>10</sup> This will be discussed in Chapter Six.

<sup>11</sup> Stetson Conn in Martin Blumenson, Robert W. Coakley, Stetson Conn, Byron Fairchild, Richard M. Leighton, Charles V.P. von Luttichau, Martin Blumenson, Robert W. Coakley, Stetson Conn, Byron Fairchild, Richard M. Leighton, Charles V.P. von Luttichau, Charles B. MacDonald, Sidney T. Mathews, Maurice Matloff, Ralph S. Mavrogordato, Leo J. Meyer, John Miller, Jr., Louis Morton, Forrest C. Pogue, Roland G. Ruppenthal, Robert Ross Smith, and Earl F. Ziemke, *Command Decisions, Chapter V: The Decision to Evacuate the Japanese from the Pacific Coast*, (Washington D.C., Government Printing Office, 1959) 125-151, In compiling the first and only military study of the internment, Stetson Conn had access to both the War Department's and the Western Defense

DeWitt's response was not challenged by his East Coast-based superiors, and the issue was not raised again by the War Department. In fact, as the tension heightened in the civilian sector of the WDC, the Office of the Secretary of War repeatedly defended DeWitt's assessment of the domestic threat. DeWitt's refusal to address politically motivated letters or press statements on the state of wartime preparedness actually fueled a letter writing campaign of "concerned citizens" addressed to Secretary of War Stimson, criticizing the general for contributing to the possibility of "a great conflagration of the city" of San Francisco.<sup>12</sup>

Assistant Secretary of War John McCloy responded for Stimson in a letter to California Ninth Circuit Judge William Denman, saying,

...I happen to have the advantage of personally knowing General DeWitt. I have worked with him very closely connection with the Japanese evacuation and other matters affecting the West Coast and I have come in contact with him and others in earlier phases of his Army career. For character, decision, and consciousness of his duty and responsibility, I know no Army officer in whom I would place greater confidence. To suggest that General DeWitt has a 'Pearl Harbor approach' to any of his problems is unfair and inaccurate. He has thought of more danger that might threaten the West Coast than you even with your alert mind and thus far conceived of. I know this because I have seen his dispatches.

Even to suggest this is not worthy of either you or the citizens of San Francisco. The dangers to San Francisco and all the West Coast are great. Successful raids on the coast can materially impair a war effort at a time when it needs to greatly increase rather than diminish. One of the things you have most to be thankful for is that you have an officer of the character and experience of John DeWitt to cope with these dangers.[sic]<sup>13</sup>

In light of the attacks off the coast and pressure from the civilian populace to investigate their fifth column fears, the military issues of evacuation and internment were only reopened

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Command's original documents prior to their shipment to NARA. Thorough canvassing of files relating to the internment by this author has failed to find the stipulated document. NARA archivists asked about the situation suggested the set of documents cited by Conn may have been separated and misfiled during the collection set's archival processing.

<sup>12</sup> Letter to Judge William Denman of the Ninth Judicial Circuit from Assistant Secretary of War John McCloy for Secretary of War Stimson, July 15, 1942, Aliens Folder, Box 1, Formerly Top-Secret Correspondence, July 1940-September 1945, RG 107 Office of the Secretary of War Stimson Papers, NARA.

<sup>13</sup> Ibid.

when DeWitt himself called the War Department for assistance in February, 1942, believing there might be some credibility to the civilian's fears of a domestic insurgency of Japanese fifth columnists on the West Coast. If he was correct, he would need the extra personnel to stave off disaster and, if they did not arrive in time, he likely feared his fate would be similar to Admiral Kimmel and General Short in the aftermath of the Pearl Harbor attack.

DeWitt's consideration of a domestic insurgency of enemy aliens arose due to the confluence of two forces. While the West Coast had historically demonstrated a racially charged atmosphere of distrust and violence against residents of Asian ancestry, the army had only begun to see credence in the civilian populace's claims when the perennial prejudicial rhetoric began to overlap the war events. As previously discussed in chapters three and four, initial calls from the civilian populace increasingly linked imagined enemy actions, such as falsely reported overflights of enemy aircraft and Pacific sinkings to their Issei and Nisei. Over time, these wartime incidents of real and imagined enemy actions continued rise with those claimants who believed the Issei and Nisei were responsible. Although not enough to be considered certain evidence of enemy action in-country, as we shall see, these claims were given more credence by DeWitt when his own staff came to him with their own heavily jurisdictional-based structure intelligence pointing to the presence of what they believed to be enemies acting behind their lines. When enough of these assertions mounted to a level of superficial credibility, DeWitt, fearing for his own command and the lives under him, mated the conspiracy and prejudiced minded beliefs of the West Coast with his own flawed military intellection. Yet, DeWitt could not adequately investigate his fears due to established personnel shortfalls. As a result, DeWitt eventually took the product of this unholy union of competing fantasies and prejudice to his superiors and disaster ensued.

The American intelligence community of the Second World War arose from a White House need to be supplied with strategic intelligence and clear lines of jurisdictional boundaries, which emphasized departmental control over information sharing with regional commanders. In a June 1939 presidential memo, Roosevelt ordered the Federal Bureau of Investigations (FBI), the Office of Naval Intelligence (ONI), and the Army's Military Intelligence Division (G-2) to begin to meet regularly, coordinate intelligence activities, and divide the processing of and acting on intelligence for the duration of the crisis and, later, the war.

"The directors of these three agencies," Roosevelt ordered, "are to function as a committee to coordinate their activities. ...No investigation should be conducted by any investigative agency of the government into any matters involving any actual or potential espionage, counterespionage, or sabotage except by the three agencies mentioned above."<sup>14</sup>

The three major intelligence organs were organized to function as separate, autonomous participants in the national intelligence cycle, which included the collection, and processing of raw intelligence, the production and analysis of that information for non-experts, and the dissemination of the information to those in government requesting it.<sup>15</sup> The three agencies, however, did not choose the more efficient path of integrating their intelligence efforts to form a holistic community. Instead, they set jurisdictional boundaries for gathering intelligence and investigating foreign intelligence operations on domestic soil. The Navy would handle intra-service, shipboard, base, and dockyard investigations as well as the security of industrial facilities producing civilian goods and factories under contract with the Department of the Navy. The Army would similarly maintain control over intra-service work, military base security and

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<sup>14</sup> "The Role of Radio Intelligence in the American-Japanese Naval War,"(August, 1941-June, 1942) Volume I, SRH-012, September 1, 1942, 375-377, Box 9, Signal and Radio intelligence Records, SRH 012 Vol. I to II, RG 457 Records of the National Security Agency/Central Security Service, Studies on Cryptology, 1917-1977, NARA.

<sup>15</sup> Walter Laqueur, *The Uses and Limits of Intelligence*, (Brunswick; Transaction Publishers, 1993), 346.

the internal security of civilian businesses holding Army contracts. In turn, the FBI would handle all non-military matters, civilian businesses, and coordinate their overseas operations with both military branches. FDR had thus precluded the possibility of intelligence turf wars.<sup>16</sup>

The initiative failed to facilitate a sharing of information with each participant and with the lower ranks. Instead of creating one cohesive system, the bureaucracy FDR had arranged actually created a series of parallel-running intelligence organs prone to territorial disputes over sources and jurisdictional boundaries. Each agency agreed to remain “in contact with” the other two, but these relationships were often limited to an individual appointed by the organ's director (who usually appointed his deputy as the liaison) and a mid-level staffer. The staffer was appointed to sit in one of the offices of the other two agencies and report to his superior on a regular basis. It would be the responsibility of the individual armies to generate their own product for use on the battlefield. Since the Ninth Corps Command and the Western Defense Command operated inside the United States, DeWitt and his staff had given little prewar thought to cultivating a human intelligence component beyond the walls of military bases and military-contracted industry. They also were entirely unaware of the intelligence information being generated by the FBI, ONI, G-2 in Washington, and by a small joint Army-Navy intelligence special project to intercept intelligence “signals” amidst the “noise” of transoceanic messages and decrypt secret Japanese diplomatic communications, called MAGIC. Instead, the WDC, like the army command at Pearl Harbor, relied on occasional personal warnings from Stimson, McCloy or Marshall and the material their own signal intelligence staff could derive from

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<sup>16</sup> "Security for Industrial Plans" Report, Folder Policy, December 16, 1941 to April, 1942, Box 3 Base Maintenance Division-Base Defense Section-Files Relating to the Internal Security and Passive Defense of Shore Establishments, 1941-1945 (Security-Classified) Miscellaneous, RG 38 Office of Naval Intelligence, NARA.

listening to friends and reading the newspapers.<sup>17</sup> In 1942, DeWitt, was effectively out of the intelligence loop.

Such a system also allowed each intelligence office to withhold its best information from its counterparts in order to curry congressional budgetary favor. For example, this management scheme, more commonly known in the twenty-first century as “stove piping,” created the conditions under which ONI and G-2 jointly maintained control over the decoding of Japanese diplomatic cables as part of the MAGIC program.<sup>18</sup> Instead of collaborating on decrypting the source material, each service branch worked on alternating days to produce its own intelligence. Likewise, once produced, each refrained from sharing its discoveries with the rival service. Due to the highly sensitive nature of the information, this philosophy also precluded each service from sharing information with subordinates or posts listed in the information until after the material had been cleared by superiors, and then only vague wording, such as “highly reliable sources,” could be used to describe both the source of the material and the message itself.<sup>19</sup> Hence, the strength of the pure intelligence “signal” was reduced to a level dependent on the security clearance of who was to read it. At the time, only a handful of readers of these decrypts had access to the raw files generated by both branches. Consequently, Pearl Harbor commanders Kimmel and Short, like DeWitt months later, were provided with only a faint sense of the danger

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<sup>17</sup> G-2 is the traditional reference for the army intelligence component of the inter-service Military Intelligence (MI). The “G” refers to the army designation of “Ground” and, later, “General Staff.” The designation “2” refers to the enemy intelligence collection apparatus within that department; *The History of the Western Defense Command*, Volume 3.

<sup>18</sup> The application of the term “stove-piping” to American intelligence gathering practices can be traced to the congressional investigations surrounding 9/11/01. Said Senator Joseph Lieberman on the 9/11 intelligence failures, “We could tolerate then a stove-piped intelligence system where the FBI’s intelligence efforts were separate and disconnected from overseas and military intelligence because our enemies were not attacking us from within our borders. We could tolerate then a separate overseas intelligence system run by the CIA because there was no clear reason to integrate foreign military and domestic intelligence. We could tolerate then a separate military intelligence system because we faced a military force comparable to our own, using conventional tactics.....” *Congressional Record, Bound Volume 150: Part 19*, 25808, December 8, 2004, (Government Printing Office, Washington, D.C., 2009) 409.

<sup>19</sup> David D. Lowman, *Magic: The Untold Story of U.S. Intelligence and the Evacuation of Japanese Residents from the West Coast During WW II*, (Utah: Athena Press, 2001), 62.

to their command prior to December 7, 1941. In another example, FBI Director J. Edgar Hoover was unaware of the existence of intercepted Japanese communiqués prior to his authorized “need to know” by the president and the Secretary of War in the week before the attack and only learned of the MAGIC program's existence itself shortly after the war had begun.<sup>20</sup> As both the congressional 1946 Joint Committee on the Investigation of the Pearl Harbor Attack and military historian Gordon Prange concluded, the parallel intelligence systems, more than any other factor, was to blame for the failure to anticipate the Pearl Harbor attack.<sup>21</sup> The ultimate result of the division of intelligence labor was a product of limited intelligence sourcing (the process by which gathered information is analyzed by one intelligence organ and disseminated to policy makers and other intelligence organs), narrow politically motivated analysis, and distribution to only upper-level White House officials and not the commanders in the field.

Because the pure intelligence “signals” generated by ONI, G-2, and the FBI failed to penetrate the Washington-level bureaucratic “noise, a rift opened between DeWitt and Washington. As an administrative outgrowth of the Army Corps command system, the Western Defense Command of 1941 and 1942 and the other Defense Commands held severely limited intelligence capabilities, which had failed to evolve from their colonial era and nineteenth century origins. Until the onset of the Cold War, American army groups primarily relied on a human intelligence methodology. By using scouts, volunteers, and paid intermediaries, any battlefield army group commander could gain near instant assessment of his adversary's troop strength, technology, movements, and, sometimes, knowledge of an exploitable weakness. This

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<sup>20</sup> Ibid., 62 and 77.

<sup>21</sup> “Investigation of the Pearl Harbor Attack: Report of the Joint Committee on the Investigation of the Pearl Harbor Attack” Pursuant to S.Con. Res. 27, 79th Congress, *A Concurrent Resolution to Investigate the Attack on Pearl Harbor on December 7, 1941, and events and circumstances Relating Thereto*, 79th Congress, 2nd Session, Senate Document Number 244 (Washington: Government Printing Office, 1946) 179-251 and 254; Prange, *At Dawn We Slept*, 251 and 443.



methodology had three inherent weaknesses. Human sources were limited by the material they personally saw or heard, offering only a keyhole view of their adversary's plans. Similarly, no one could ever be certain that the gathered intelligence was a valuable source or disinformation. Likewise, if the source and bearing of the information was judged accurate, the commander then maintained only a limited time to make use of the information. The WDC, however, was not in search of the enemy on a foreign battlefield. It was a phantom paper army reassigned to defend the Pacific coastline from a seaborne enemy beyond its jurisdiction.

Instead of human intelligence, the WDC relied more heavily on theater-level sources harvested through a parallel intelligence methodology, called Signal Intelligence. Since the 1850s, the Army had invested a small portion of its budget with the Office of Naval Intelligence (ONI) to intercept, decrypt, and read the diplomatic and military communications of other nations. In the First World War, the Army had made some headway discerning actionable intelligence from intercepted enemy messages, but, the postwar world had left signal intelligence poorly funded, understaffed, and seldom used for the better part of a decade. "It would be of utmost value to the winning of this war," said cryptanalysis pioneer William Friedman, "if the government were now in a position to read the codes and ciphers of all the foreign powers whose actions and probable intentions are of interest and importance in our prosecution of the war. We could have been in this fortunate position had they given to cryptanalytic studies the attention to which it deserves during peacetime and had provided funds for their continuation on a scale sufficient for the purpose for which they are intended."<sup>22</sup>

By December 1941, signal intelligence had split into two levels of operations, decryption programs and operations-level communications. Most decryption programs of military import,

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<sup>22</sup> William Freidman, *A Brief History of the Signal Intelligence Service*, June 29, 1942, Manuscript, 14. Folder 3, A Brief History of the Signal Intelligence Service, June 29, 1942. By William F. Friedman, Box 1, William Friedman Cryptographic Collection, George C. Marshall Library.

such as the MAGIC program's breaking of Japanese diplomatic codes, were maintained in Washington as a small cluster of underfunded and highly secret initiatives intended for the eyes of only a few Washington-based leaders. Consequently, while post commanders occasionally received some warnings based on signal intelligence's decryption programs, the main function of Ninth Corps and WDC signal intelligence personnel was at an operational level. Contrary to the college-educated decrypters working on advanced computational technology, draftees, national guardsmen, and low level career officers filled the signal intelligence positions for stringing communications wire between army posts and duty stations and maintaining the command headquarters' communications. In 1941 available West Coast signal intelligence personnel were relegated to units undergoing training or that had just emerged as repair technicians. These units included the 60<sup>th</sup> Signal Battery (activated in July, 1940) at Fort Lewis, the 54<sup>th</sup> Signal Battery at Fort Ord (activated in February, 1941) assigned to II Corp, the National Guard's 102<sup>nd</sup> Signal Radio Intelligence company and 2nd Signal Repair Company at Fort Ord, and the 2<sup>nd</sup> Signal Depot Company at Fort Lewis attached to Ninth Corps.<sup>23</sup> Neither the Western Defense Command nor Fourth Army at the Presidio had been issued a Signal Corps unit by the General Staff, nor, although some period reports indicate that some units were "well equipped," few had undergone the training to use their equipment.<sup>24</sup> For example, one such unit under Colonel J.J. Grace was "confronted with numerous problems including training of assigned signal units, making preparations for extended field maneuvers and preparing the necessary signal annexes and plans to accompany plan Rainbow No.5."<sup>25</sup> As a result, DeWitt held the personnel needed to ensure the receipt of potential enemy signals for his own intelligence needs, but he had no one

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<sup>23</sup> The History of the Western Defense Command, Volume 3, 1-4, USAHEC.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid., 1 and 5.

trained to listen, analyze, or act on intercepted signals. There was, therefore, no one available to discern the difference between a true “signal” and intelligence “noise.”

In the early months of the Pacific War, DeWitt attempted to address the staff training and equipment problems by several means. At the start of the war, most of the army's West Coast facilities needed heavy upgrading from their barely functioning, turn-of-the-twentieth-century technology, requiring a labor-intensive and often problematic installation process. Hand-held wireless FM radios, for example, were being introduced both for coordination of group movement and as a supplemental means of gathering human intelligence on future battlefields. There were, however, only a few personnel trained in the specific models who could install the sets. Accordingly, DeWitt's command improvised two solutions: open-lined telephones at fixed points throughout the region for the short term and a deal with San Francisco's Samuel Gompers Trade School to train enlisted personnel as radio repairmen for a long-term solution.<sup>26</sup> Still, the first solution engendered additional difficulties. Phones and civilian phone lines were in constant need of repair, often leaving communications between vital posts intermittent.<sup>27</sup> Hence, soldiers in the opening months of the war often had to leave their positions to find the nearest phone and report.

Furthermore, enlistees unfamiliar with communications sometimes caused false air raid alarms by misperceiving “signals” existed awash on a sea of innocuous everyday “noise.” On the night of January 9, 1942, an officer in Lompoc, California “was talking to his girl on the telephone when he heard someone break in on the line and announce 'ARMY FLASH, SECTOR 18 REPORTING ACTIVE.’” The officer dropped the phone, ran to his superior, and reported the incident. There was, he believed, about to be an attack. Soon the entire area of Los Angeles was

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<sup>26</sup> Ibid., 1.

<sup>27</sup> Ibid., 1 and 3.

plunged into blackout conditions. “As a matter-of-fact,” an FBI agent later reported, “the message which the officer overheard on the telephone was a civilian listening post operator reporting for duty in exact accordance with instructions.”<sup>28</sup> Instead of providing clarity, this uncoordinated state of applied technology injected a still further degree of noise over incoming intelligence signals.

Army regulations mandated that once the zone became active as a theater of war, “certain radio nets be established.”<sup>29</sup> The War Department, as with personnel, planes, supplies, and weapons, had no radios to offer. “The equipment specifically requested for the radio net desired in the Western Defense Command is not available at this time,” replied Lieutenant Colonel Clyde Hysson in the East Coast Adjutant General's Office to a request for new equipment. “Radio sets SCR-197 are controlled items. This equipment is allocated for delivery to Air Corps and Armored Force units, and it will be impossible to make any divergence at this time.”<sup>30</sup> In an irony symbolizing the entire wartime signal intelligence experience, the WDC's communications capabilities at the Presidio in 1942 were channeled through a twenty-year-old switchboard with only two lines. “The only means of signal communication held by this headquarters,” mentioned one report “was the one teletypewriter circuit from the Western Defense Command signal office to the Ninth Service Command. The signal section of the headquarters handled the operation of the teletype, as no signal company was employed to handle the communications at this time. Messages were received by the nine service command for this headquarters after 1700 each day

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<sup>28</sup> Memorandum for the Director of the Federal Bureau of Investigations from DM Ladd, February 1, 1942, Loose, Box 2, Hirabayashi Hearing Material, USAHEC.

<sup>29</sup> Western Defense Command Memorandum for Major General, Army Field Forces, GHQ, Washington From Fred Meyer, Lt. Col., EGD, Assistant Adjutant General, Subject: Signal Communications Requirements, December 18, 1941, Folder Border Restricted Zones 381.4, Box 16, RG 499 U.S. Army Defense Commands (WWII), NARA.

<sup>30</sup> Memo from General Headquarters Clyde Hysson, Lt. Col. ADG, AGD, Adjutant General, General Headquarters, US. Army, Army War College to Fred Meyer, Lt. Col., EGD, Assistant Adjutant General, December 29, 1941, Folder Border Restricted Zones 381.4, Box 16, Record Group 499 U.S. Army History of the Defense Commands, NARA.

and were held until morning. If they were priority, the man on duty in the code room was called in after decoding...”<sup>31</sup> Several months after the internment was underway, the WDC was authorized by the War Department to move to new headquarters with state-of-the-art communications technology capable of managing an army, the Joint Signal Center.<sup>32</sup>

The WDC's lack of meaningful wartime intelligence and near signal deafness would have remained the non-issue it was for the other Defense Commanders had not Japanese action off the Pacific Coast influenced General John DeWitt to find his own source of information. “Records compiled during the war,” mentioned one postwar army report on the subject, “contain a mass of reported submarine sightings, torpedo attacks and possible plane sightings. In the main these reports failed to stand up under investigation, being founded on inexpert observation, imagination or mistaken identity.”<sup>33</sup> While the civilian populace had become unnerved by the frequent false alarms and blackouts, the Japanese submarine attacks were a growing concern for the Western Defense Command. The December 18, 1941 attacks on the *SS Samoa* and *SS Escamilla* had been far out at sea. Attacks two days later on the *SS Agwiwold* and the *SS Emidio* were within eight miles of Santa Cruz and twenty miles of Verde. The December 23 torpedo strikes against *H.M Storey* off Santa Barbara and attacks on the *SS Larry Doheny* and *SS Montebello* four miles off Piedras Blancas were in full view of civilian crowds on the shore. The navy was patrolling the shoreline, but shortages of mines, coastal guns and aircraft had left the WDC impotent.<sup>34</sup> DeWitt's inability, which he concealed by a public refusal to contribute directly to the civilian response to the war, was militarily understandable.

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<sup>31</sup> The History of the Western Defense Command, Volume 3, 1, USAHEC.

<sup>32</sup> Ibid.

<sup>33</sup> The History of the Western Defense Command, Volume 4, Appendix, 5, USAHEC.

<sup>34</sup> The History of the Western Defense Command, Volume 4, Appendix 6, 1-12, USAHEC.

The December 24, 1941 attack on the 5,696-ton freighter *SS Absaroka*, however, was likely the first of a chain of events that supplied some military officials with circumstantial cause for alarm. Transiting the California shoreline, the freighter was spotted at 1750 hours by both Fort MacArthur and what appeared to be a fishing trawler. Minutes later, the spotters at the fort and civilians walking along the shore noticed that the “trawler” was actually a disguised Japanese submarine. As one report described it, “Submarine with a false fishing boat superstructure fired a torpedo that hit the ship, killing one man.” The ship took on water, but remained barely afloat thanks to the buoyancy of its cargo of lumber as the submarine sailed away out of range of the fort's guns.<sup>35</sup> The public interpreted the attack as affirmation of the purported “sneaky” and vicious nature of the enemy. The limited abilities of the WDC to respond to these challenges further muddied the military’s perceptions of the attacks. In this conflict, some among the army's ranks developed the theory that, like their scouts in preceding wars, the presence of circumstantial evidence of a possible problem was interpreted as the conclusive signs of a problem. “Known hostile action,” one 1945 report, for example, explained, “plus a mass of doubtful reports combine to indicate probable sporadic reconnaissance by submarine-based planes and sustained submarine reconnaissance during at least the first year of the war.”<sup>36</sup> As a result, the poorly trained WDC staff concluded that a lack of reliable intelligence meant there was another previously undetected force at work, a Japanese fifth column.

While there is no indication that General DeWitt yet believed in an active fifth column within the WDC, the anti-Japanese rumors that followed only reinforced the pattern of presumption and agitated for some action by the military. Through mid-January, reports continued of lights at sea, on shore, and in the skies. At one point, someone reported arrows of

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<sup>35</sup> Ibid., 4; “Two More Ships Torpedoed,” *Los Angeles Times*, December 25, 1941, Front Page.

<sup>36</sup> Ibid., 6.

fire being used as beacons for incoming planes, similar to the false claims made about the Pearl Harbor attack that had been reported as fact by newspapers a month earlier.<sup>37</sup> In this climate of fear, inferred association with the Roberts Report's espionage findings added gravity to each new report, regardless of their validity. A bonfire burning “suspiciously” in a field near a major city at night was suspected of being a signal light for Japanese submarines.<sup>38</sup> “In another instance,” an FBI agent reported “G-2 reported suspected sabotage of the Columbia power lines from the Bonneville Dam on December 10, 1941. Investigation by the FBI Field Office has since determined that a cow had rubbed against a guide wire holding the power line in place and, thereby, causing a short circuit.”<sup>39</sup> Both were considered to be suspect reports by the FBI, ONI, and G-2, but, unlike the cat's eyes of the previous month, the reports took on an air of faux credibility, because of the civilian fears of fifth column activity.

General John DeWitt had ample reason discount the significance of the purported sightings. For one thing, the attack on the San Francisco Bay area of which Marshall had warned had not materialized.<sup>40</sup> There were often also simpler explanations for the suspected enemy activities. In one incident, when Western Defense Command Headquarters communications suddenly fell silent, investigators discovered a thirty-seven year old Caucasian, named William Bevesford, stealing the copper cables to sell on the black market.<sup>41</sup> The WDC Commander also had consistent reminders of his staff's limited abilities and poor discipline. Once a civilian

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<sup>37</sup> Memorandum for the Director of the Federal Bureau of Investigations from DM Ladd, February 1, 1942, Loose, Box 2 Hirabayashi Hearing Material, USAHEC.

<sup>38</sup> “Spies on the Roof! Meeow!” San Francisco News, December 13, 1941, p. 8; “Hemisphere 5th Column Revealed” San Francisco Examiner, December 19, 1941, Section 2, Front Page; “Warren Warns of 5th Columnists” San Francisco Examiner, February 3, 1942, p. 1.

<sup>39</sup> Memorandum for the Director of the Federal Bureau of Investigations from DM Ladd, February 1, 1942, Loose, Box 2 Hirabayashi Hearing Material, USAHEC.

<sup>40</sup> The History of the Western Defense Command, Volume 1, 1-10, USAHEC; Records of a Telephone Communication between General George Marshall and General John DeWitt, December 8, 1941, Subject: Japanese Obtain the Same Character Data on Bremerton Navy Yard that They Obtained on Pearl Harbor; Antiaircraft Situation: Expect Bombing Attack on Pacific Coast With No More than 5 Min. Warning. Folder Border Restricted Zones, 381.4, Box 16, RG 499 Records of the U.S Army Defense Commands, NARA.

<sup>41</sup> “Saboteurs Seized Cutting SF Wires,” San Francisco News, December 10, 1941, p.1.

dressed as an Army Reserve officer had passed security unquestioned and slipped into “the room containing the control board for the Interceptor Command of Los Angeles California, [where he] called a false blackout, and left before he was detected.”<sup>42</sup>

Furthermore, although DeWitt was outside the main G-2 and ONI intelligence chain of command, the FBI West Coast office under Special Agent Nat Pieper responded to WDC requests for information and, unlike practices in Washington, apprised DeWitt of their security-related activities. Even the initial reports accumulating in the WDC office of large airborne paper balloons carrying complex incendiary devices falling from the sky were treated by the Presidio office as the machinations of a distant threat launched from the main island of the Japanese empire.<sup>43</sup> The WDC's intelligence reports, however, were in error. Over two hundred and fifty bombs had, in fact, been launched from submarines.<sup>44</sup> Thus, this interplay between the real attacks and the circumstantial evidence provided a fear driven vehicle for the WDC to believe the general public's racist perspective of their Issei and Nisei populace as untrustworthy agents of the Japanese military might have some credence.

While many were misled by the rumor mill stoked by the *SS Absaroka* incident and subsequent such events, the staff of the Western Defense Command joined the erroneous believers in an active West Coast Japanese fifth column when the Army was forced to execute Roosevelt's 1939 internal security order. As discussed above, the Ninth Corps held the responsibility for internal security based on the 1939 agreement among the FBI, ONI, and G-2.

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<sup>42</sup> The History of the Western Defense Command, Volume 1, P. 1-10, USAHEC; Records of a Telephone Communication between General George Marshall and General John DeWitt, December 8, 1941, Subject: Japanese Obtain the Same Character Data on Bremerton Navy Yard that They Obtained on Pearl Harbor; Antiaircraft Situation: Expect Bombing Attack on Pacific Coast With No More than 5 Min. Warning. Folder Border Restricted Zones, 381.4, Box 16, RG 499 Records of the U.S Army Defense Commands, College Park, NARA.

<sup>43</sup> The History of the Western Intelligence Command, Volume 5, 1; Letter from J. Edgar Hoover to Harry L. Hopkins, Personal and Confidential, February 22, 1945, Folder OF 10-6, Justice Dept, FOI Reports, 1944-1945, Box 2597-2618, Harry Hopkins Papers, Record Group 24, FDRPL.

<sup>44</sup> James Dunnigan and Albert Nofi, *Dirty Little Secrets of World War II*, (New York: Perennial, 1994) 79; Christopher R. Kilford, *On the Way!*, (Toronto: Trafford, 2004) 76.



Over the initial weeks of the war, they had provided both the manpower and communications for coordination with the civilian government and also guarded civilian industry and other vital locations.<sup>45</sup> The duty was a natural extension of the Corps's role as an army waiting for overseas deployment. The Ninth Corps also trained private security forces as their eventual replacements. The army training, like their nearby Navy counterparts, consisted of formalizing security patrols of the perimeter, distributing identification cards to employees, demarcating restricted access points and forbidding certain civilians from entering the facilities.<sup>46</sup>

The departure of the Ninth Corps in late December and early January, however, left a gaping security hole for the military units transiting through the region and the already anxious resident populace. On paper, therefore, the War Department logically authorized the augmentation of the WDC staff from a single intelligence specialist and a communications officer into a small office staff. This new-found resource, however, was not utilized either to put troops in the field or to speed the information from the Washington offices into the field with additional equipment and analysts. Instead the WDC was ordered by the War Department to coordinate the provision of guards with ONI, the West Coast police, and the Attorney General's office. Contrary to his stated goals at the onset of war, DeWitt was now, in effect, responsible for both the external and internal security of the WDC.

The placement of responsibility for both external and internal security in General John DeWitt's hands destabilized the entire Western Defense Zone. Even though he had minimized his presence in the public eye, the army's new and pending wartime policies had created

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<sup>45</sup> The History of the Western Defense Command, Volume, 1, Chapter 3.

<sup>46</sup> "Security for Industrial Plans" Report, Folder Policy, December 16, 1941 to April, 1942, Box 3, Base Maintenance Division-Base Defense Section-Files Relating to the Internal Security and Passive Defense of Shore Establishments, 1941-1945 (Security-Classified) Miscellaneous, RG 38 Office of Naval Intelligence, NARA; According to Dept of the Navy and Army as well as FBI documentation, enemy aliens, resident, aliens and Nisei were allowed to continue to work at these facilities under the military's wartime security guidelines because the rubric sponsored by the military to weed out security risks was aimed at communist sympathizers.

considerable public ill will among the local populace. For example, in the first days of the New Year, many individuals and businesses began to complain about the army's rumored plan to seize cars and trucks for the war effort, and the later ban on new tires and automobiles to civilians.<sup>47</sup> To overcome the public's lack of inertia, DeWitt could have reversed his previous position and courted the politicians to replace the Army's lost personnel with civil defense and state guard elements. Instead, he renewed his perceptually anti-militarization argument over the management of the civil defense.<sup>48</sup> Worse, California Attorney General Earl Warren, in an effort to break the deadlock and discredit his political rival, took the position that the defense of the state was a matter for the army, which, he claimed, was the only entity that possessed the necessary resources for the task.<sup>49</sup> His political supporters, looking to further destabilize Olsen's hold over the state and placate their fifth column-minded constituents, applauded the motion.<sup>50</sup> Still, Assistant Secretary of War John McCloy again interceded to support DeWitt's position, saying, "The War Department's policy of long standing in reference to the duties of State forces is that the protection of life and property is a primary responsibility of the local and State government concerned. The War Dept believes that the protection of installations is a primary responsibility of operators, owners, local and State governments."<sup>51</sup> McCloy's position, however, did not stop the public outcry for the army's assumption of civil defense and even calls for martial law.<sup>52</sup> In theory, a declaration of martial law would have solved the civil defense jurisdictional issue, suppressed the rise of vigilantism, created a security zone as a screen from potential Axis predation, and reestablished the positive civil-military relationship of the past century. Yet, from

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<sup>47</sup> "Effect of Auto Ban Felt in SF," San Francisco Examiner, January 3, 1942, p. 1.

<sup>48</sup> "Warren Upholds State Guard Bill," San Francisco Examiner, January 4, 1942, p. 1.

<sup>49</sup> Earl Warren, "Martial Rule in Time of War," Attorney General., State of California, Syllabus of Lecture, Practicing Law Series, Stanford Law Society, Commercial Club, June 4, 1942, Lyle Cook Papers, USAHEC.

<sup>50</sup> "State Seeks US civil Defense Aid," San Francisco Examiner, January 9, 1942, Front Page.

<sup>51</sup> Ibid.

<sup>52</sup> Earl Warren, "Martial Rule in Time of War," Attorney General., State of California, Syllabus of Lecture, Practicing Law Series, Stanford Law Society, Commercial Club, June 4, 1942, Lyle Cook Papers, USAHEC.

the perspective of the Western Defense Command, the action would have exceeded DeWitt's mandate as an officer to uphold constitutional law. The move would have also exceeded his command's capabilities. Despite the rumors in January 1942, there was no evidence of fifth column activities, and, hence, there was no pressing need.

The battle for military involvement in the civilian sphere had been fought before. At the end of December, General George DeWitt had steadfastly rejected the insecurity-driven lobbying to guard non-army related businesses, saying, "If the Army is forced to guard all utilities and activities essential to national defense, there will be little left to perform military duties."<sup>53</sup> In another example of poor diplomatic skills, DeWitt also threatened that army protection would be withdrawn as soon as private guards were found, ending his new administrative responsibilities. The issue, however, had also aroused West Coast congressmen to pressure the army to protect the "vital" oil fields and, later, civilian transmitter towers. In the end, DeWitt had conceded the point and detailed troops to provide security for the area's oil fields and communication towers as a new cost to the military's relationship with the civilian West Coast populace.

Unthinkable prior to the Second World War, the oil field case had actually set a poor precedent for DeWitt, making the army dependent on the civilian sector. It could no longer refuse the protection of civilian assets in the Western Defense Command. More pointedly, the guarding of the field actually drew the army still deeper over the following months into California's culture of militarization. The added internal security responsibilities became an even greater drain on the limited WDC resources. Several WDC office personnel were detailed by DeWitt to study the security of key Army-contract facilities. These private businesses were considered "vital installations" by the WDC analysts because they manufactured products

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<sup>53</sup> "Dewitt Rejects Oil Guard Plea," Los Angeles Times, December 20, 1942.

necessary for war-fighting, including aircraft parts, vehicles, and foodstuffs.<sup>54</sup> Once a study had been concluded, staff was dispatched to each site by DeWitt to provide temporary guards and on-site security advisers, but the visits often uncovered underlying problems. “We found that Vernon, which is a small industrial city (you know where it is, right next to Los Angeles),” said army officer Victor Hansen, “has practically no population; there's only just a handful of people there. There was a fellow named Leonis that owned the apartment houses, and he completely controlled the votes and the population there. Yet we had vital contracts there.”<sup>55</sup> After considerable research and discussions, the military discovered that Vernon “did not belong to the metropolitan water district, and they were dependent on just a very local water supply,” which was “adequate if these big refineries or big industrial plants or war industry plants were to catch on fire.”<sup>56</sup> The city refused to let the Army build an extension to the city line a block and a half away, reasoning, “He [the business owner] hasn't paid for it, so we won't let it go.”<sup>57</sup> The owner also refused to join the nearby metropolitan water supply, saying, “I'm not going to pay what they're asking for it. The hell with you.”<sup>58</sup> Given the War Department security requirements, the WDC officers made the unilaterally unpopular decision of terminating Vernon's Army contract.<sup>59</sup> Hence, the military could no longer just mind the coastline. It now was required to service the region's civilian militarization aims, which would soon include the removal of the Issei and Nisei.

The new internal security duties also included the traditionally grey areas between civil and military spheres. Also requiring study were the civilian telephone lines on which the WDC

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<sup>54</sup> Victor Hansen, “West Coast Defense During World War II; The California Gubernatorial Campaign of 1950,” Interviewed by Amelia Fry, 1977, 25-27, Earl Warren Oral History Project, The Regents of the University of California.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

Signal Intelligence officers were growing increasingly dependent for communications. “We discovered, for example,” noted one staff officer, “that if any sabotage were made of the telephone junction here in Los Angeles, they could knock out all the communications of the whole West Coast. So we had alternate plans.”<sup>60</sup> There were also boundaries that city fire departments refused to cross to fight fires, sometimes only blocks away, because of utility disputes with neighboring counties. “We were studying to determine, for example, what fire equipment there was to service these plants,” remembered Hansen. “What traffic problems could arise? What earthquake could occur that would block up a road? ...In other words, if a movement came along, as it did on the San Andreas Fault in 1906, what would it do to the Presidio in San Francisco? What would it do to the city of San Francisco? This couldn't happen if you're going to have a war and you had to have coordinated defense.”<sup>61</sup>

Instead of finding the “signal” of fifth columnists, the West Coast's civil defense mess had become yet another a wartime security morass for the WDC, but, in their effort to create a stable self-sustaining security environment for the civilian populace, the Army had greatly improved the Californian infrastructure. There was, therefore, every reason for the West Coast politicians and their constituents to keep the military in the civilian sphere. To do this, they had to convince the Army that the irrational anti-Asian gossip was “noise.”

In mid-January, the WDC was inundated with new claims of “fifth column” signals that were not as easy to dismiss as earlier ones. But, when seen in concert with the previously specious eyewitness accounts, the new reports carried a greater degree of credulity. Some civilians reported suddenly tuning into Japanese voices or music before the signals faded out on their civilian radios. Some military personnel reported receiving strong, intercepted

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

transmissions. Some WDC staff officers at the Presidio were convinced they were intercepting fragments of odd coded messages. As private HAM radio use had been forbidden for the duration of the war, these new transmissions were suspected to be of illicit origin. WDC staffers speculated that the signals had coincided with sightings of submarines at odd hours. Such suspicions conjoined with the other social and political pressures to change the WDC's stance on the resident alien population.

Over the next several weeks, DeWitt increasingly came to believe that his staff's erroneous findings were, indeed, a "signal" and not the "noise" that he had originally believed were little more than anti-Asian political rhetoric. First, the WDC staff attempted to solicit support from ONI to track the signals, but the Navy refused, saying, in contradiction to the Army's perceived jurisdiction over land-based operations, that they already had the situation well in hand. Members of the WDC also contacted the FBI about the signals, but the agency was already overwhelmed trying to apprehend draft dodgers, sort through their own lists of enemy alien suspects, and respond to their own mounting number of fifth column sightings.<sup>62</sup> Instead, Special Agent Nat Peiper suggested the WDC contact the Federal Communications Commission (FCC).

The FCC maintained a half dozen powerful antennas within the WDC to monitor the Japanese home islands' communications with their military forces scattered across the Pacific Rim. Additional large antennas and several smaller models were brought online by the FCC once congressional funding was secured shortly after the onset of war.<sup>63</sup> Had the WDC been made

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<sup>62</sup> "FBI Here Reveals 25000 Draft Cases," San Francisco News, November 18, 1941, Front Page.

<sup>63</sup> Report of General Sterling's Conference with General DeWitt, January 9, 1942, Box 2, Hirabayashi Case Papers, U.S. Army Heritage and Education; GE Sterling, Chief, Radio Intelligence Division, Memorandum to the Chief Engineer, March 25, 1944: Subject: Information Requested by the Attorney General Relative to Monitoring Operations on the West Coast between December 1941 and July 1, 1942 as Expressed in Memorandum from Office of General Counsel, March 25, 1944, Box 1, Hirabayashi Hearing Material, USAHEC.

aware of these technological capabilities or the methodology utilized by the FCC to check the WDC's fifth column claims, DeWitt would have likely found the FCC's invalidation of his staff's findings to be more credible than he did. These FCC capabilities, however, were the most highly guarded secrets of the war. Like MAGIC, they were never disclosed to DeWitt. As a result, DeWitt was never able to judge the veracity of the FCC's claims and relegated their position as intelligence collectors as just one more conflicting source.

Upon receipt of DeWitt's request for information, FCC personnel were dispatched for consultation with the general and FBI Special Agent Pieper. During the first meeting, on January 9, 1942, DeWitt decried the failure of the intelligence community to answer his questions on the most recent signals, claiming "prompt as well as strict measures were necessary to meet situations as they developed."<sup>64</sup> According to Peiper, the WDC Commander in fact "launched into quite a discourse on the Japanese, another for language programs, radio transmitters operated by enemy agents in California sending messages to ships at sea, and a general discussion of the enemy aliens..."<sup>65</sup>

In turn, the FCC representatives stated,

"that we determine the general area in which an un-authorized station was operating and how we closed in on it with mobile units and other specialized equipment, including the all frequency response receiver. I know that virtually down to the general's staff officers they had no comprehension whatsoever as to the difficulties one encounters in radio direction finding and why different equipment is necessary for ground wave as compared to skip wave and why it was particularly necessary to train personnel, not only in use of equipment but radiowave propagation and polarization."<sup>66</sup>

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<sup>64</sup> Conference with General DeWitt at San Francisco, Friday, January 9, 1942, 1:00pm, Also in Attendance were Colonel Forney, G-2 in charge of counter espionage, Colonel Strob, Chief of G-2, Lieutenant Colonel Smith, Assistant Chief Signal Officer, Colonel Martin, Public Relations Officer, and Mr. Pieper, Special Agent in Charge of the FBI field office in San Francisco, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

After the meeting, the FCC reviewed the data, checked their own records of intercepted signals, and returned to General DeWitt with an unexpected answer. There were no fifth column transmissions in the period scrutinized by the WDC staff, whether from nearby submarines or by fifth columnists from the sources calculated by the WDC. Nor did any messages contain the content that had been reported. A few of the signals had led the FCC with the assistance of the FBI back to HAM operator hobbyists in ignorance or evasion of the national censorship order. Most signals, however, did come from Japanese channels, but their point of origin was in the Sea of Japan.<sup>67</sup>

The Western Defense Commander, however, had painted himself into an intelligence corner. Army human intelligence training maintained the importance of errant signs as indicators of larger potential problems. His own experience as a quartermaster led DeWitt to emphasize accounting for every detail to maintain the integrity of his command. Without accurate intelligence or access to the FCC findings, DeWitt placed more value on the former than on the FCC's assertions. With the failures of the Pearl Harbor command in the papers, he likely felt he had to be overly cautious when most of the signs provided by the civilians indicated there was a local enemy presence. "Every single ship that sails on the Columbia River since the outbreak of the war," he said, "has been subjected to submarine attack, every one of them. That means to me only one thing, that there is a boat watching the redacted system up there with communications with a submarine."<sup>68</sup> Now events and flawed intelligence had arisen, which both DeWitt could not ignore and on which the West Coast populace eagerly sought action, the branding of the Issei and Nisei as dangers to domestic security.

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<sup>67</sup> Ibid.

<sup>68</sup> Conference with General DeWitt and Officers, January 4, 1942, Transcript, Box 1, Hirabayashi Hearing Material, USAHEC.



Unbeknownst to General DeWitt, the Office of Naval Intelligence, using the FCC infrastructure, had been tracking the submarines that had been raiding the coast.<sup>69</sup> ONI had identified three of the Japanese submarines that had been stalking American ships off Los Angeles. Once the attacking submarines had broken off their coastal patrols, the navy followed the enemy's loose radio chatter, projected the next point at which they would surface to radio home along their return trajectory, and dispatched a fully armed American naval force to intercept the Japanese vessels. Once the submarines passed Midway Island, ONI considered the distance far enough from the Pacific Coast to maintain the secrecy of their intelligence source and near enough to an American base to make the discovery of such an enemy vessel be considered “accidental” by the enemy. In short order, the submarine was then “discovered” by the American surface fleet and sunk.<sup>70</sup> None of the enemy submarines that ran the West Coast of the contiguous United States ever returned to their berths in Japan.

General John DeWitt was likely never told of these efforts for several reasons. First, the operations were being conducted entirely outside Army chain of command, using Navy radio equipment and signal tracking techniques. Second, the Navy's intelligence was so highly classified that it was wise to keep those in the know in the dark about the source of this intelligence, and even if DeWitt personally could be trusted, ONI had already disqualified the WDC from receiving this intelligence because of the WDC's earlier security problems. Also, as discussed later, some in ONI had a personal dislike of DeWitt's staff. At the time, a handful of ONI staffers were attempting to discredit the general with unfounded reports of his lack of collegiality to Washington.

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<sup>69</sup> "The Role of Radio Intelligence in the American-Japanese Naval War,"(August, 1941-June, 1942) Volume I, SRH-012, September 1, 1942, Pg ii, Box 9, RG 457 Records of the National Security Agency/Central Security Service, Studies on Cryptology, 1917-1977, SRH 012 Vol I to II, NARA.

<sup>70</sup> Clay Blair, *Silent Victory: The U.S. Submarine War Against Japan*, (New York: J.B.Lippincott Co., 1975), 117-119.

For similar reasons, DeWitt was also never granted direct access to MAGIC. While the prewar handling of decrypted Japanese diplomatic message traffic had contributed to the debacle at Pearl Harbor, the record of MAGIC's contribution to victory is indisputable. Both MAGIC and the operation to break the Japanese military's code, designated PURPLE by military intelligence, contributed to the poor success of Japanese submarines against vital American military convoys, which were carefully directed around the enemy predators. Decryption was also instrumental in divining the importance of the Japanese threat against Midway Island over the operations aimed at the Aleutians in June 1942.<sup>71</sup> MAGIC and PURPLE, however, were not foolproof. Because the intelligence was gathered and distributed by hand, MAGIC failed to disclose the attack on Pearl Harbor in advance. Later, in May 1942, the Japanese several times sent out “deceptive groups...purporting to be signals from numerous air groups around Japan.” Upon closer inspection, the signals were exposed by American military cryptographers as fabricated messages to create a fog of war. Analysts interpreted the ruse to be “a certain indication that the enemy was putting much strength into the Port Moresby area, and constant efforts were made to clarify the picture of Japanese invasion force.”<sup>72</sup>

Still, MAGIC had almost been compromised shortly before the war. “Several leaks compromised the FBI and their investigation Hawaii prior to Pearl Harbor,” William Friedman explained at a mid-1942 intelligence conference, “when a newspaper reporter published an attack on the FCC entitled 'FBI Excusing Japanese Receives Jolt, War Agency Told All Tokyo-Hawaii...’<sup>73</sup> According to the information in hand, the FBI had transmitted copies of messages

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<sup>71</sup> Gordon Prange, *Miracle at Midway*, (New York: Penguin Books, 1983), 126.

<sup>72</sup> "The Role of Radio Intelligence in the American-Japanese Naval War,"(August, 1941-June, 1942) Volume I, SRH-012, September 1, 1942, Pg 28, Box 9, RG 457 Records of the National Security Agency/Central Security Service, Studies on Cryptology, 1917-1977, SRH 012 Vol I to II. NARA.

<sup>73</sup> "The Role of Radio Intelligence in the American-Japanese Naval War,"(August, 1941-June, 1942) Volume II, SRH-012, September 1, 1942, 140, Box 9, RG 457 Records of the National Security Agency/Central Security Service, Studies on Cryptology, 1917-1977, SRH 012 Vol I to II. NARA.

intercepted between Honolulu and Tokyo over the commercial radio circuits for a period of several weeks prior to December 7.”<sup>74</sup> These incidents added an increased level of urgency among the intelligence community and policy makers privy to MAGIC to share the intelligence with only those who had a compelling and immediate reason for the information.

DeWitt would have been alarmed by MAGIC intelligence had the intelligence community’s distrust of the WDC not kept the decrypted intercepts from him. Even before Pearl Harbor, MAGIC had already accrued from Japanese message traffic detailed information about the Bremerton Naval yards, the depths and layout of San Francisco Bay (identical to the material the Japanese had collected and transmitted about Pearl Harbor), Japanese espionage operations on the West Coast, and information on other military targets within the WDC. The few bits of MAGIC intelligence General George Marshall had indirectly shared on December 8, 1941 as coming from “a highly confidential and trusted source” had already caused the WDC considerable stress.<sup>75</sup>

In the intervening weeks, General John DeWitt had, moreover, grown afraid that the lack of cooperation from the American intelligence community and the failure to augment his command with troops and supplies were signs that Washington might be setting him up to fail. The rudimentary facts did bear a striking similarity to the charges of dereliction of duty facing his contemporary commanders at Pearl Harbor.<sup>76</sup> After the Roberts Commission Report came out, DeWitt’s own actions suggest an intention to preempt the charges facing Admiral Kimmel and General Short. Despite the War Department’s adversity to provide him with the requested

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<sup>74</sup> Ibid.

<sup>75</sup> The History of the Western Defense Command, Volume 1, 10-11, USAHEC; Records of a Telephone Communication between General George Marshall and General John DeWitt, December 8, 1941, Subject: Japanese Obtain the Same Character Data on Bremerton Navy Yard that They Obtained on Pearl Harbor; Antiaircraft Situation: Expect Bombing Attack on Pacific Coast With No More than 5 Min. Warning. Folder Border Restricted Zones, 381.4, Box 16, RG 499 Records of the U.S Army History of the Defense Commands, NARA.

<sup>76</sup> Memoranda for John McCloy From Henry Stimson, Subject: Kimmel Insured, December 11, 1943, Folder ASW 250.3-250.4, Box 14, Record Group 107 Office of the Secretary of War, Assistant Secretary of War, NARA.

reinforcements, DeWitt ordered his few troops to assume an active readiness posture over the long term. When the WDC received reports from civilian, military and political sources of threats to the West Coast, they acted upon these as if they were legitimate. Contrary to being aloof from his field commanders, DeWitt had his calendar in January filled with meetings, conference calls, and trips to posts, not to mention liaison activities with the West Coast political leadership.

Moreover, the information the West Coast's civil administration gave the Western Defense Commander was tailor-made to support his fears. The WDC was inundated with requests for additional security for the city and state facilities, which, the civilians government argued, were vital to the security of the region. For example, the San Francisco-based Board of State Harbor Commissioners provided DeWitt with reports, maps, and supplementary petitions by members, indicating that the waterfront property holding a large portion of the California fishing fleet was both largely unguarded and in the vicinity of nearby Issei and Nisei neighborhoods. Initially, they asked the Army for guards, but, as the civilian drumbeat for evacuation rose, they asserted that DeWitt designate the large swaths of areas indicated on their maps as prohibited zones similar to those he was now creating inside the plants under military-contract.<sup>77</sup>

Next, the police and, later, Attorney General Earl Warren repeatedly indicated that the city police and the State Guard were woefully underpowered for policing assistance to the Army.<sup>78</sup> In fact, the police in Los Angeles, Stockton and San Francisco were on twenty-four hour watch to protect the more affluent Issei and Nisei neighborhoods from the growing number of

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<sup>77</sup> Letter from the President of the Board of the State Harbor Commissioners for San Francisco to General John DeWitt, January 30, 1942, Folder 323/6 Proposed Restricted Area, Box 14, RG 499 Records of the United States Army History of Defense Command, NARA.

<sup>78</sup> B. Powers, Law Enforcement, "Race Relations: 1930-1960," Interview by Amelia R. Pry, Earl Warren Oral The Regents of the Univers, 1971 History Project, iaity of Californ.

vigilantes.<sup>79</sup> During the early phase of the war, 68% of all Issei and Nisei in Washington State lived in Kings County. In California, 39% lived in Los Angeles County. In Oregon, 59% were similarly grouped in the state's urban centers. Reports also indicated Issei and Nisei population sizes of 500 or more in seventeen West Coast cities, including Los Angeles, Seattle, San Francisco, Sacramento, Oakland, Portland, Berkeley, and Stockton. Taken together, the three Pacific Coast states held 89% of all Japanese in the country.<sup>80</sup> The civilian government's traditional anti-Asian bias, however, implied this canvas of protection to be less important than the state's other duties to the community.

“There wasn't the situation, in terms of numbers or the ability,” remembered Warren legal adviser Herbert Wenig, “to identify individuals, that appeared to present a sufficient danger for the attorney general's office to get in touch with, as compared to the Japanese situation where you have large concentrations of them in areas where you could have either civil disturbances or you could have espionage or sabotage from persons in the group.”<sup>81</sup>

Other West Coast politicians were also working in parallel to convince the Army of the dangers they saw in the biased views of the West Coast civilians against the minority populace. Mayor Fletcher Bowron of Los Angeles, for example, claimed that his city's Issei and Nisei population was “the center of activity in an intriguing preparation for the conflict that many Japanese secretly knew was to come some day.” They had, he claimed, taken up certain occupations and located their businesses in preparation for some grand as yet unrevealed plan to aid the Japanese empire. “While during the years past,” he said, “we were all too blind to see it

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<sup>79</sup> “Hawaii Born Jap Shot in Beach City,” Los Angeles Times, December 20, 1941, p. 1.; “Stockton Jap Killed by Filipino; Riots Feared; Area Under Guard,” San Francisco Examiner, December 27, 1941, p. 1.

<sup>80</sup> Federal Reserve Bank of San Francisco Monthly Review, April 1, 1942, Box 3, RG 200 John L. DeWitt Papers, NARA.

<sup>81</sup> Herbert Wenig, “The California Attorney General's Office, The Judge Advocate General Corps, and the Japanese-American Relocation,” Interview by Miriam Feingold Stein, Regents of the University, 1976.

most of us were disarmed and unsuspecting because of smiling courtesy and, what seemed inoffensive on designing peaceful pursuits of the friendly Japanese. As we look back...we believe that part of their strategy was to appear inoffensive, friendly, and the loyalty proclaimed” was “merely a shield to make no one suspicious of their activities and to permit them to be more effective when the time came to strike.”<sup>82</sup>

California Governor Olson held similar views. On January 27, 1942, he called a conference with the general. “.....[H]ere's a tremendous volume of public opinion now developing against the Japanese of all classes,” DeWitt repeated to his new War Department Provost Marshal Department liaison Karl Bendesten, “that is the aliens and enemy aliens, to get them off the land, and in Southern California around Los Angeles-in that area too-they...are bringing pressure on the government to move all the Japanese out. As a matter fact, it's not the local instigators ...but ...the best people of California. Since the publication of the Roberts Report they feel that they are living in the midst of a lot of enemies. They don't trust the Japanese. None of them.[sic]”<sup>83</sup>

“It's not just the old competition...,” replied Bendetsen.

“Not by any means,” said DeWitt. “No, indeed. It's reaching a very large proportion. The Governor wanted to talk to me about it because he got to take some action and I'll tell you confidentially that the Governor himself feels the same way. He wants to get rid of them; if you'd like to get rid of every one of them. He thinks a Japanese is an enemy, he doesn't care where he is born.”

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<sup>82</sup> Letter from the Mayor of Los Angeles to Sen., A.B. Chandler, Chairman of the Subcommittee of the Committee on Military Affairs, April 24, 1943, Box 3, RG 200 John DeWitt Papers, NARA.

<sup>83</sup> Bendetsen-DeWitt Conversation on Relocation, Jan 28, 1942, Transcript Sent to J. Edgar Hoover via Nat Pieper, Feb 3, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

At this point, DeWitt can be seen to cross over from his original hands-off approach on civilian matters to assume a posture of interventionism into domestic affairs, siding with the anti-Asian Californians. In the context of the unknowingly flawed intelligence in hand, DeWitt came to see credence in the historic prejudicial canards of the West Coast populace and the now constant sightings of suspicious activities along the coastline in coincidence with the nearby sinking of ships. He had unconsciously bought into the longstanding West Coast assertions recently elevated in the press to new heights that the Issei and Nisei were somehow linked to the sinking of ships off shore. Even though DeWitt still refused the idea of removal or internment, he conceded, likely because of this propaganda, that they could not generally be trusted. His fears, as discussed below, were, hence, publicly reshaped by the flawed conclusions of his intelligence personnel, the reinforced wishes of his solitary political alliance with Earl Warren, and the Justice Department's framed acceptance of the Issei and Nisei as isolated potentially dangerous residents in his Western Defense Command.

"Yes, now I think," DeWitt continued, "That anything, any action taken by the Federal Government towards the movement of Japanese out of California or away from the coast, like Los Angeles and those places... anything that the federal Government does to that and will receive the heartiest approval of the people of California. That's my reaction, after talking to the governor yesterday.[sic]" <sup>84</sup>

General DeWitt's sole civilian political ally, then-California Attorney General Earl Warren, shared the general's new views. The news in the press and his own internal investigations convinced Warren that there was a fifth column on the West Coast. On January 30, 1942, Warren, surprised by the Army's reluctance to act, said, "[T]he Japanese situation as it exists in this state today may well be the Achilles heel of the entire civilian defense effort. Unless

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<sup>84</sup> Ibid.

something is done it may bring about a repetition of Pearl Harbor.”<sup>85</sup> While Governor Culbert Olson “didn't frankly know which way to turn in this present situation,” at a meeting on February 2, 1942, Earl Warren “was making quite a drive on the alien Japanese through a potential violation of the alien landlord the state of California.”<sup>86</sup> In 1939, Warren had determined that “even one-eighth non-Caucasian blood was enough to make a person ineligible for marriage to a Caucasian.”<sup>87</sup> Shortly after Pearl Harbor, he had ordered several studies on his state's populace of Issei and Nisei, which, he believed, should have been utilized to remove individuals he considered to be suspect aliens. This positioning would have served the West Coast culture of militarization a palpable and much desired scapegoat for the civil populace's race hatred. Instead of his police force, Warren, however, subsequently maneuvered DeWitt into having the Army make the move at federal expense, completing the commander's two step conversion to the West Coast's anti-Asian philosophy.

In preparation for the meeting at the Bliss residence in Montecito, a Warren staff member, Percy Heckendorf, presented Assistant Attorney general Tom Clark, newspaper columnist Walter Lippman, and other civilian defense leaders with “a large map showing the various installations of electricity, gas, water and dams and roads and railroad bridges and the like, and their proximity to land owned or leased or occupied by Japanese. It showed the strategic areas that could be sabotaged, wrecked,” according to Heckendorf, Lippman showed “great interest in the map and the significant things that were shown on it.”<sup>88</sup> The map and the presence of the press were likely intended to force DeWitt's hand. Warren had claimed that “the

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<sup>85</sup> Nat Peiper Memorandum and Letter to J. Edgar Hoover, February 3, 1942, Subject: Tom Clark in Sacramento on February 2 with General DeWitt and Governor Olson, Box 2, Hirabayashi Hearing Material, USAHEC.

<sup>86</sup> Ibid.

<sup>87</sup> Wenig, “The California Attorney General's Office, the Judge Advocate General Corps, and the Japanese-American Relocation,” Interview by Miriam Feingold Stein, Regents of the University, 1976.

<sup>88</sup> Percy Heckendorf, “Planning for the Japanese Evacuation and Reforming Regulatory Agency Procedures,” Interview by Amelia Fry, Earl Warren Oral History Project, The Regents of the University of California, 1976.



authorities did not have the time or the ability to identify those who were disloyal. Even if you had an identification process, it is a difficult thing to determine loyalty, or possible disloyalty.”<sup>89</sup> It was, therefore, argued as an urgent matter that fell under the responsibility of the Western Defense Command, leaving only the creation of a crisis within the heightened wartime atmosphere to drive the West Coast civilian’s desired Issei and Nisei removal, like a freight train, out of the state.

The general, however, refused Warren's premise, saying he “was not of the view that there should be mass evacuations of any enemy aliens; that his views on movement of aliens were in connection with restricted areas.”<sup>90</sup> Tom Clark, a Special Assistant to Attorney General Francis Biddle and liaison on West Coast Enemy Alien issues, headed off a resolution for mass evacuation during this meeting “by suggesting that they [the state] should resolve to cooperate with federal authorities.” When Clark asked for the FBI's view, Special Agent Nat Peiper allowed the matter to be dropped by making “no comment.”<sup>91</sup>

Information contrary to the state government's views was available, but DeWitt and his staff would have had to work to find it. This material surfaced only after the mass evacuation was underway months later. A Federal Reserve Bank of San Francisco's monthly review, for example, provided a far more accurate view of the populace DeWitt was now convinced were enemies of the state. "The Japanese positions," the April 1, 1942 document explains, “for the most part, are relatively low-paying occupations which return a living income only through long hours of toil. Generally speaking, these occupations are avoided by white workers, with the result that the Japanese have become an important element in number specialist lines,

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<sup>89</sup> Ibid.

<sup>90</sup> Nat Peiper Memorandum and Letter to J. Edgar Hoover, February 3, 1942, Subject: Tom Clark in Sacramento on February 2 with General DeWitt and Governor Olson, Box 2, Hirabayashi Hearing Material, USAHEC.

<sup>91</sup> Ibid.; FBI HQ Memo 55880, Box 2, Hirabayashi Hearing Material, USAHEC.

particularly in the raising and marketing of truck crops.”<sup>92</sup> These crops included strawberries, snap beans, celery, cauliflower, spinach, and peppers, which, due to Issei inability to own property and low income status, were sold through the small carts throughout the urban landscape.

Similarly, Attorney General Earl Warren's recently noticed “suspicious” clustering of Nisei and Issei had, in fact, an innocuous, if unobvious, explanation. The Japanese immigrants of the early twentieth century could ill afford prime farming land. Instead, they were relegated to purchasing low-quality land within their means. This land was often on the periphery of the urban landscape, near noisy and polluted work sites, such as factories, air fields, and truck farms. According to one period source, in 1940, these farmers operated 6,118 farms on the West Coast.<sup>93</sup> Far from the imagined ubiquity of the California state government, the Nisei-owned land was estimated at 258,074 acres valued at \$72,641,934 and contrary to perceptions, represented only 2% of total farming activity.<sup>94</sup> Issei- and Nisei-rented and owned property were maintained by small family labor.

The noted increase in the urban Issei and Nisei population could also be readily explained by discerning the links between their impoverished status and the international climate. When the White House froze Japan's assets in protest over the empire's military actions in East Asia, they also, inadvertently, froze the assets of the Issei underwriters of these farms. Consequently, most renters and failing farm owners were forced to abandon their farm work for shared living accommodations in the urban ghettos in the hope of finding work as unskilled laborers.<sup>95</sup> In the

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<sup>92</sup> Federal Reserve Bank of San Francisco Monthly Review, April 1, 1942, Box 3, RG 200 John L. DeWitt Papers, NARA.

<sup>93</sup> Takaki, *Strangers from a Different Shore*, 33 and 289.

<sup>94</sup> *Federal Reserve Bank of San Francisco Monthly Review*, April 1, 1942, Box 3, RG 200 John L. DeWitt Papers, NARA.

<sup>95</sup> Nisei Experience in Orange County, California, O.H. 1763 George Jiro Abe, Interviewed by Marsha Bode, February 20, 1984, Historical and Cultural Foundation of Orange County, Japanese American Council and

existing climate of traditional bias and wartime fear, these facts required far too much care to discover than most non-Asian Pacific Coast officials were willing to take and were too far beyond the purview of the military officers' immediate problems to discern. Bias thus reinforced fear and expediency.

Similar information about the lack of Japanese residents' fifth column activities was also in the hands of ONI. A week before the Pearl Harbor attack, the Navy Department reported that the "focal point of the Japanese effort [in espionage in the United States] is the determination of the total strength of the United States" and that "Japan is vigorously utilizing every available agency to secure military, naval bank virtual information, paying particular attention to the West Coast, the Panama Canal...", but that the Nisei were not being targeted for espionage recruitment.<sup>96</sup> Additionally, study of the MAGIC decrypts would have revealed that, in the years prior to Pearl Harbor, the Japanese empire had expressly forbidden their spymasters in America from recruiting Nisei, fearing their discovery would elicit the very civilian and military backlash now underway.<sup>97</sup> Hence, this intelligence "signal" could have been deployed to disprove the civilian's argument of existent Issei or Nisei enemy observation and sabotage operations. Because of FDR's 1939 policy on intelligence matters, these facts, however, were never shared with the WDC. The resultant "stove-piped" administration allowed the civilian-supplied politicized intelligence gathered by the WDC to validate the WDC's suspicions.

DeWitt's over-attentiveness to his own office's micromanagement generated a host of new problems for the WDC. Although faced with contravening analysis by the FCC, DeWitt mistakenly preferred to believe his soldiers were reporting accurate information. In mid-January

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California State University Fullerton Oral History Program, Japanese American Project, Honorable Stephen K. Tamura Orange County Japanese American Oral History Project.

<sup>96</sup> Navy Department Report on the Japanese Intelligence System in the United States during 1941, December 1, 1941, Box 2, Hirabayashi Hearing Material, USAHEC.

<sup>97</sup> Lowman, MAGIC, 147.

the FCC accurately assessed that the general believed “that the woods were full of Japs with transmitters.”<sup>98</sup> Hoping to convince the general he was wrong and leave open the possibility that the WDC might devote its energies to fighting legitimate security threats, the FCC representatives offered their services to hunt down any future unknown signals they might find. While DeWitt did later use the FCC as supplemental advisors, over the next several weeks he continued to invest heavily in his own inferior army signal intelligence unit and their search for a nonexistent “signal” in the “noise.”

"Frankly, I never have seen an organization that was so hopeless to cope with radio intelligence requirements," said one observer. "As an example they (the Signal Corps) has only two radio direction finding companies in the combat zone. The equipment is that heavy truck type that I saw at Fort Monmouth and designed for use in actual battle zone. The personnel is unskilled and untrained. Most are privates who can read only 10 words a minute. They know nothing about signal identification, wave propagation and other technical subjects so essential to radio intelligence procedure. They take bearings with Loop equipment on Japanese stations in Tokyo listed in the Barne list as such and importing their authorized call letters and report to their commanding officer that they have fixes on Japanese and operating transmitters on the East Coast. These officers, knowing no different, pass it on to the general and he takes their word for it. It's pathetic to say the least.[sic]"<sup>99</sup>

The investment in the belief rapidly became the source of private scorn among much of the American intelligence community. By mid January 1942, DeWitt's failure to produce both credulous allies within the federal government and concrete proof of Axis clandestine predation

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<sup>98</sup> Conference with General DeWitt at San Francisco, Friday, January 9, 1942, 1:00pm, Also in Attendance were Colonel Forney, G-2 in charge of counter espionage, Colonel Strob, Chief of G-2, Lieutenant Colonel Smith, Assistant Chief Signal Officer, Colonel Martin, Public Relations Officer, and Mr. Pieper, Special Agent in Charge of the FBI field office in San Francisco, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>99</sup> Ibid.

had caused Hoover to back away from the man.<sup>100</sup> During the same period, two junior officers in ONI attempted to neutralize DeWitt's ability to function as an intelligence gatherer by filing a report on a fictitious incident in which the WDC Commander heavily criticized the FBI to the Washington ONI office for incompetence in the performance of their duties.<sup>101</sup> It is unknown how J. Edgar Hoover's office discovered the false report, but, around mid-January, the originally cordial relationship between the FBI and WDC began to cool. About January 23, Hoover confronted DeWitt about the accusations and threatened to pull the FBI's support from all WDC operations.<sup>102</sup> The surprised DeWitt denied the accusations and promised Hoover that he would personally launch an investigation into the matter and would make the malefactors pay. In the meantime, he hoped Hoover would continue to aid the WDC in their new internal security responsibilities.<sup>103</sup> Within a week's time the culprits had been discovered and disciplined, and their report had been expunged from the record at Hoover's request. Still, WDC's relationships with both Hoover and ONI never recovered from the incident.

The Congressional committees visiting California at the end of January and early February removed any political pretense DeWitt might have had to see the absence of evidence as the "signal" and not the "noise." During the Tolan Committee meetings, the panel discussed only civilian testimony. Numerous city and state politicians discussed the beliefs they shared with DeWitt about the Issei and Nisei populace, under-equipped state guard, and the police.<sup>104</sup>

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<sup>100</sup> Tamm Memorandum for J. Edgar Hoover, Subject: Suspending Work on Counterespionage, January 24, 1942, FBI HQ 62 - 9798, Section 14, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>101</sup> Tamm Memorandum for J. Edgar Hoover, Subject: Teleconference with Peiper and the Office of Naval Affairs, January 23, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>102</sup> Ibid.

<sup>103</sup> Ibid.

<sup>104</sup> *National Defense Migration Report of the Select Committee Investigating National Defense Migration House of Representatives*, 77th Congress, Second Session Pursuant to House Resolution 113, Resolution to Inquire Further into the Interstate Migration of Citizens, Emphasizing the Present Potential Consequences the Migration Caused by the National Defense Program, March 19, 1942, United States Government Printing Office, Washington: 1942 77th Congress, 24 session, House Report Number 1911, Calendar Number 684, Folder ASW

Others testified about resident Japanese “maintenance of cultural ties with Japan, the maintenance of emperor-worshiping ceremonies, the isolation of not only alien Japanese...”<sup>105</sup> As one might expect, these accounts conformed to the long established West Coast tropes of objectifying the Issei and Nisei as both separate from and heavily nefariously inculcated in California society as hidden enemies of the United States. Furthermore, the witnesses continued to underscore the similarities between Pearl Harbor and the apparent signs of alleged enemy activities in California, leading listeners to the conclusion that an enemy attack would soon be coming. No dissenting opinions were offered by civilians, government officials or the military in rebuttal of the charges. The only answers offered by the witnesses to this allegedly dangerous situation remained Olson’s original goal, removal.<sup>106</sup>

Still others drew the same parallels the newspapers and DeWitt himself had been making to the Pearl Harbor attack and “fifth column” rumors that had arisen since the release of the Roberts Report.<sup>107</sup> California Attorney General Earl Warren claimed “that whereas there has not been sabotage on the West Coast to their knowledge..., he believes that this constitutes no guarantee against such sabotage in the future...But I take the view that it is the most ominous sign in our whole situation. It convinces me more than any other factor except sabotage that we

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014.311 General Correspondence, December 4, 1941-April 30, 1942, Box 1, Record Group 107 Office of Secretary and Secretary of War Papers, NARA.

<sup>105</sup> Herbert Wenig, *The California Attorney General's Office, The Judge Advocate General Corps, and the Japanese-American Relocation*, Interview by Miriam Feingold Stein, Regents of the University, 1976.

<sup>106</sup> *National Defense Migration Report of the Select Committee Investigating National Defense Migration House of Representatives, 77th Congress, Second Session Pursuant to House Resolution 113, Resolution to Inquire Further into the Interstate Migration of Citizens, Emphasizing the Present Potential Consequences the Migration Caused by the National Defense Program*, March 19, 1942, United States Government Printing Office, Washington: 1942 77th Congress, 24 session, House Report Number 1911, Calendar Number 684, Folder ASW 014.311 General Correspondence, December 4, 1941-April 30, 1942, Box 1, Record Group 107 Office of Secretary and Secretary of War Papers, NARA.

<sup>107</sup> *Ibid.*

have got fifth column activities...just like Pearl Harbor. It was timed just like in the invasion of France and of Denmark and Norway and all of the other countries."<sup>108</sup>

Likewise, in the Dies Committee hearings, specious evidence in the form of a Japanese flag and an unpaginated map was entered into the congressional record by the committee chair, claiming a Japanese "fifth column" was based in California and awaiting the proper time in which to strike.<sup>109</sup> The military and intelligence community, however, was silent during the proceedings. Called to testify before the Tolan Committee, General John DeWitt claimed inability to answer questions on the grounds of national security. In fact, DeWitt had been ordered to remain silent on the issue by his Washington superiors for the time being.<sup>110</sup> Both the FCC and MAGIC material remained highly classified and were, therefore, neither sought by the Congressional panels nor volunteered by the military for inclusion in the Congressional record. The conclusion of the committee was that "the immediate evacuation all persons of Japanese lineage and all others, aliens and citizens alike, who are present shall be deemed dangerous or inimical to the defense the United States..."<sup>111</sup> Without the contrary intelligence data or a cogent WDC analysis, an evacuation or internment or both became a perceptually realistic policy option for Washington.

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<sup>108</sup> Ibid., 2.

<sup>109</sup> J. C. Neely Memorandum for Ladd, Subject: Report of the Dies Committee on Japanese Activities, February 27, 1942, Loose, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>110</sup> Conversation between General DeWitt and General Gullion, February 17, 1942, 12:30 PM Transcript, Folder ASW 014.311 General Correspondence, December 4, 1941-April 30, 1942, Box 1, RG 107 Office of Secretary and Assistant Secretary of War Papers, College Park, NARA.

<sup>111</sup> *National Defense Migration Report of the Select Committee Investigating National Defense Migration, House of Representatives, 77th Congress, Second Session Pursuant to House Resolution 113, Resolution to Inquire Further into the Interstate Migration of Citizens, Emphasizing the Present Potential Consequences the Migration Caused by the National Defense Program, March 19, 1942, United States Government Printing Office, Washington: 1942 77th Congress, 24 session, House Report Number 1911, Calendar Number 684, , 3-4, Folder ASW 014.311 General Correspondence, December 4, 1941-April 30, 1942, Box 1, Record Group 107 Office of Secretary and Assistant Secretary of War Papers, NARA. They defined "strategic areas" as to "include military installations, war industries, ordering power plant installations oil, oil fields and refineries, transportation other essential facilities, as well as adequate protective areas adjacent thereto." Ibid.*

The crooked path of the American intelligence community and the confluence of several longstanding deficiencies in the social, military, and political infrastructure of the West Coast had led DeWitt's WDC to assume a precarious position. Instead of taking a wait-and-see approach or seeking a diplomatic resolution to the emergent problems, he compounded the situation with a series of flawed decisions based on his fears and specious intelligence. In the end, he gambled with other people's lives and lost all his credibility in the fog of war on an erroneous hunch.



## **Chapter Six: An Army of Phantoms and Fears**

At the end of January, 1942, the parallel forces of urban militarism, racial tensions, political ineptitude, and an unprepared military bureaucracy converged in the crafting of the Roosevelt Administration's military internment policy. While General John DeWitt had been granted autonomy in providing security for the American West Coast as a designated Theater of War, his failure to deal effectively with the situation initially went unnoticed by his superiors in Washington, D.C. The War Department and the Roosevelt administration as a whole, still reeling from Japanese invasion of the central Pacific and Nazi Germany's sudden entrance into the war, had not considered the homefront an active priority. Once prompted by DeWitt's call for resources, their response to the situation split neatly along military and civilian lines. While the Army and the War Department called for urgent civilian resources and immediate action as part of an emergent war doctrine to preclude another military disaster, the Washington civilian leadership was far more hesitant. Contrastingly fearful of being drawn into a civil liberties nightmare, the Justice Department argued that any response to the perceived threat should be handled solely by the military. In response to this deadlock, President Franklin Roosevelt formulated a blanket solution that addressed the military's needs and the racist Californian's grievous desires at the price of the West Coast Issei's and Nisei's civil liberties.

In January, 1942, the Western Defense Command became trapped in General DeWitt's Japanese fifth column dilemma. While DeWitt intended to tighten zone security instead of acting as wartime manager, he assumed the posture of a battlefield commander. For him, the responsibility for protection of the WDC consisted of a series of weak military posts and bases buttressed by walls and ramparts comprised of his few troops, radar, anti-aircraft, and aviation units, guarding the interior civilian sphere from attack by enemy forces. The civilians would

continue to be responsible for the maintenance of the order of the interior behind and between those military positions as they had prior to the onset of hostilities. In essence, the military would largely keep to the borders, but when the enemy vaulted over the walls or was perceived to be gaining aid from the inside, DeWitt's forces were then to be deployed into the civilian sphere to eliminate the threat. This model would have been considered by the military to be an adequate national security construct in the previous wars America fought, but the structure was ill-equipped to handle, first, the civilians and, then, DeWitt's erroneous belief that the enemy was already inside the walls.

Initially, the WDC Commander attempted to redeploy his forces to meet the internal security threat. First DeWitt revised established internal security protocols based on his experience as a combat officer, placing a greater emphasis on base perimeter patrols and, where warranted by his Signal Intelligence staff, deploying training units to the field to hunt down intercepted signals. The combat patrols sent after these elusive enemies, however, disrupted civilian life, failed to find their non-existent quarry, and, in the process, left many civilians and soldiers unnecessarily apprehensive as to what might happen next. Before long, both the integrity of his defenses and the intestinal fortitude of the militarized civilian populace, already compromised by political ineptitude and racial tension, failed. The apparently elusive “signal” of the enemy also frustrated the WDC staff.

“I am pretty convinced that there is one [covert enemy broadcasting station] operating in the Columbia River area,” said DeWitt, “... somebody has a means of blanket coverage to go out and catch that station. It is a hopeless set up..... You hear it, you go to the site, he is gone. We

have had repeated evidence of that in the Monterey Bay Area.... Maybe there is a rapid, direct, legal way I could get after this problem...a blanket way to stop that one thing.”<sup>1</sup>

The War Department similarly perceived the West Coast as a fortress. While the military's entire prewar plans to fight the Japanese had been decimated in the opening hours of the war, the president's decision to prioritize the defeat of Germany over Japan initially relegated the War Department to a defensive war in the Pacific. For the War Department, the Navy's fleets and the Pacific Island-stationed Army elements were the outer walls and ramparts of America's defense, with the WDC of the West Coast held in reserve and so supported at a lower priority rating. The outer walls, however, seemed to be toppling, and the WDC stood at an emergency level of a battlefield command under constant threat of attack. For example, in Marshall's own initial threat assessment of the West Coast, the general concluded that the region's militarized airfields and aircraft manufacturing facilities, including the “Boeing [plant] up north, [and] the large number in the San Diego and Los Angeles area,” would likely be the enemy's first set of targets.<sup>2</sup> The urban landscape's longstanding military assets to civilian life were now considered heavy liabilities. As previously mentioned, Stimson had also promised Dewitt more forces would be expedited for the defense of the coast, but only a token force of fighters placed under independent command was sent by the Secretary of War over the following weeks to assist the American Navy.

Over the course of December and January, circumstantial evidence of West Coast security vulnerabilities intersected with the drumbeat of suspicion against the region's Issei and

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<sup>1</sup> Conference with General DeWitt and Officers, January 4, 1942, Transcript, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>2</sup> Notes on Telephone Conversation between General Marshall and General Dewitt, December 8, 1941, 7:55am, Border Restricted Zones 381.4-Folder, Entry Number 11, Administration Section, Box 16 RG 499 Records of the U.S. Army History of the Defense Commands, NARA; Conference Office of General John DeWitt, January 4, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

Nisei. Ships were being sunk offshore. Unexplained lights were being reported along the coasts. The military was discovering errant signals of suspected enemy activity in the area. Yet, DeWitt could neither cover the area with the forces he had to discern if there was a link nor obtain reserves from Washington to augment his command to allow a thorough search with personnel trained to handle the situation. As a result, he handed the flawed faux problem over to his superiors for deliberation and resolution.

Given the priorities of resources and goals, the War Department appears to have been guided by an ad hoc war strategy, which held fundamentally mutually exclusive goals for the WDC. In order for the WDC to be capable of defending the West Coast, the men, munitions and transportation were required in large quantities, and production for rebuilding the Pacific fleet was of paramount concern. The secondary concern became the augmentation of the nation's military manufacturing contractors' ability to produce goods for the war. As previously mentioned, the West Coast held a large number of America's military industrial plants, which had long supported the region with security, jobs, surplus income, and a sense of identity. Yet, the civilians believed they were under threat of imminent attack and were being deprived by Washington of the means with which to defend them. From the domestic industrial perspective of ad hoc war, they were in a position in which they would only receive the scarce resources deemed militarily necessary. But "military necessity" would require either an unlikely sudden end to the war in Europe or a devastating attack, at which point the resources to locate the imagined Japanese forces would have been meaningless. When DeWitt reminded his superiors in Washington that his skeleton force was spread from Dutch Harbor in Alaska to the Mexican

border, the War Department judged that the “approximately 240,000 men” DeWitt counted in his area (both trained and active force) would be sufficient to deal with an internal emergency.<sup>3</sup>

The West Coast's perception that an enemy army existed amid a large military industrial zone, however, did alter the War Department's considerations about the vital nature of the WDC. The Army attempted to mitigate their manpower problems by seeking the Department of the Interior (DOI) intelligence files generated by the 1940 Enemy Alien Registration Act. DOI files have “got to be complete and accurate registration,” DeWitt complained. “...Registration has got to be of a character that is of some value... A picture of the man, thumbprints, his travel to be restricted and to keep track of him at all times [sic].”<sup>4</sup> The Immigration Office's records, however, were very long and admittedly incomplete.<sup>5</sup> Moreover, the records were made by and about civilians and were, therefore, the purview of civilian law enforcement and not the military unless otherwise ordered by the president.

Before the war, California police departments had also sought the records, but Attorney General Francis Biddle, fearing they would be used to exact police-led lynch mob justice, refused the request. In April 1942, Biddle explained to Assistant Secretary of War John McCloy:

These requests were denied at the time, because definite indications were available of the disposition to adopt local repressive measures rather than to cooperate with the uniform federal program. When local police are given these names for this limited purpose, the show disposition to set up a complete permanent system of alien enemy files to be used as a basis for their own activities in respect of alien enemies. This,

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<sup>3</sup> Ibid. DeWitt, in fact, feared the troops he did have in January, 1942 would soon be removed from his command, saying, "I have no reason to believe that the troops I have now and the numbers I now have are going to be left in my command. I hope so." Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid. National registration of resident enemy aliens was compulsory for 1,800,000 individuals. In California and other states, the registration records often disagreed with the census records due to poor record keeping, registrants' errors, and willful deception for fear of local retaliation and of federal prosecution for illegal immigration.

of course, presents a matter of administrative control which we are watching very closely.<sup>6</sup>

By the end of December, the War Department was vigorously supporting measures to implement their conception of home front security. First, the civilian leaders endorsed a continuation of Marshall's prewar mobilization plan. Second, G-22 and ONI instituted Roosevelt's urged intelligence sharing. Third, the Provost Marshal office implemented an aggressive internal security policy for the nation's military infrastructure. For this purpose, the military could restrict certain civilian areas to authorized personnel. Some Navy Districts and Army fortifications, including the San Francisco command, had already restricted access to the areas surrounding their naval facilities for these reasons, including WDC's Fort MacArthur, Eleventh Naval District's Terminal Island, and sections of downtown Brooklyn, New York.<sup>7</sup> This move, akin to the Lincoln Administration's legal civilian detention in 1862-64, included the implementation of restricted areas, the detention of suspected enemy agents and the possible use of martial law to prevent sabotage. The exercise of martial law, they maintained, could only be assumed, however, by the authority of the president of the United States and not the regional

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<sup>6</sup> Letter from Francis Biddle to John McCloy, April 17, 1942. ASW 014.311 General Correspondence (December 4, 1941-April 30, 1942) Folder, Box 1 Formerly-Security Classified Correspondence of John McCloy, 1941-1945, RG 107, Office of the Secretary of War, Assistant Secretary of War Papers, NARA.

<sup>7</sup> Fort MacArthur's commanding officer, a Colonel Hicks, was afraid civilians would be hurt in an exchange of ship to shore fire with the enemy. The Eleventh Naval District command believed Terminal Island near the mouth of San Francisco harbor was an ideal location for a coastal watch tower and, simultaneously, a potential maritime hazard to the port's shipping capabilities should an industrial accident occur at one of the island's factories. The Eastern Defense Commander, the Third Naval District, the FBI, and Mayor Fiorello LaGuardia considered the transient- and immigrant-populated low rent neighborhoods surrounding the Brooklyn Navy Yard too much of a risk to naval dock works' security. On February 5, 1942, the Navy enlarged this exercise of wartime authority to include restricted access to personal dwellings on Terminal Island and the area surrounding the Brooklyn Navy Yard. "FBI Clears Navy Yard District of Enemy Aliens in Night Raids," Brooklyn Eagle, February 2, 1942, Section A, 1.; History of the Western Defense Command, Volume 2, Appendix, Pg 14; The History of the Western Defense Command, Volume Four, Appendix, Pg 7, USAHEC; Confidential Memo Regarding Dispatch Received on February 11, 1942 Staff Headquarters Pacific Southern Naval Coastal Frontier, Federal Office Building, Civic Center, San Francisco, California, February 12, 1942, Preliminary Evacuation Plan Folder, 384.4 AG Records Files, Box 15, RG 499 Records of the United States Army History of the Defense Command, NARA.

commanders.<sup>8</sup> The third measure, however, was never sanctioned by Stimson. The War Department was concerned enough, however, to assign a Judge Advocate General Officer, Captain Karl Bendetsen, to answer any legal concerns General John DeWitt might have about the boundaries of martial law, espionage, and sabotage inside the United States.

Few Washington-based officials were indeed now willing to render assistance to the WDC due to mitigating local factors and the increasingly toxic environment around the West Coast Issei and Nisei. Likewise, as the FBI and MI held access to the records, there was, therefore, no compelling need for DeWitt to have access to either the Interior Department's records or staff support above a regional level to secure the WDC. No assistance from Washington would be forthcoming.

By January, 1942, the War Department's internal security policies met with resistance from the Justice Department and now the Department of the Interior's advocacy of a limited approach to defeating the Axis. California's harbors stood as a key factor in both American's mercantile interests in Asia and the victory of the United States over the Axis powers.<sup>9</sup> The United States was far too large and resources far too widely distributed for the Axis to neutralize the nation's industrial prowess in 1942. While some additional security measures were enacted, such as the registration of aliens, many in the Justice Department, most notably Francis Biddle, believed the present conflict should be considered a limited war only indirectly affecting the home front and therefore the abridgment of civil liberties should be undertaken only on a case by case basis.

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<sup>8</sup> Memoranda for the Secretary of War from Allen Gullion, Major General, Judge Advocate General, May 27, 1941, Subversive Activities in Plants and Factories Folder, Box 2 Formerly Top-Secret Correspondence Secretary of War Stimson, July 1940-September 1945, RG 107 Office of the Secretary of War Henry Stimson Papers, NARA.

<sup>9</sup> Richard Overy, *Why the Allies Won*, (New York: Random House, 1997), 23, 194

Biddle's limited war perspective can be traced to his pre-New Deal era work. Upon assuming the position of Attorney General in 1941, Francis Biddle had attempted to chart a narrow course of administrative jurisprudence. As civil rights lawyers, Biddle and most of his Justice Department staff had privately fought for the labor rights of African-Americans and fairness for union workers. As part of the New Deal, he had increasingly narrowed his focus between perceived friends of American recovery and potential detractors, placing the rights of the individual at times beneath both congressional and the Roosevelt administration's demands for greater security against Nazi and Communist infiltration of industry.<sup>10</sup> The results of his policies were often conflicted. For example, while he often supported "loyal" American and immigrant labor, in his prosecution of California labor leader Harry Bridges he argued that as a resident alien (of Australia), Bridges had acted to undermine the prewar and wartime management of the West Coast shipping industry to advance a communist agenda, prompting Biddle to undertake a specious campaign lasting years to have Bridges deported.<sup>11</sup>

Francis Biddle's early wartime civil liberties policies were, however, far more dynamic. His staff often heard Biddle claim that he was "going to make sure he was not like his predecessor, [A. Mitchell] Palmer of the "red raids" during the Wilson days, and he was a great believer in civil liberties."<sup>12</sup> Yet Biddle had participated in the division of wartime internal security and intelligence gathering duties by the army and navy in 1940. Moreover, Biddle had also worked on the identification of individuals dangerous to national security, helping forge the above mentioned understanding that foreign born individuals and citizens who aided the enemy

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<sup>10</sup> Aliens of Enemy Naturalization Cases Folder, Box 1, Alvin Rockwell Papers, Truman Library.

<sup>11</sup> "Biddle's Private War Against Harry Bridges," San Francisco, 1945, Iowa State University.

<sup>12</sup> James Rowe Testimony, Commission on Wartime Internment, Roosevelt Internment Testimony Folder, Box 119, James Rowe Papers, Truman Library.



would be immediately arrested at the onset of hostilities. Such activities, given the vulnerability of the homeland to attack, support the notion that his civil libertarian ideals were nuanced.

Still, the nuances allowing for variances in civil liberties were on a case by case basis, leading to the creation of the Alien Review Boards. Furthermore, Biddle resisted attempts to expand other investigative jurisdiction beyond the literal limits of the law and Congressional actions, which would have granted him more legal leeway at the expense of individual rights. For example, in May, 1941, he repeatedly criticized Congressional attempts to grant the Justice Department powers for private investigations for which Justice had not asked, including the authorization to wiretap.<sup>13</sup> Hence, this precedent of latitude the Attorney General granted provided some means to abridge civil liberties on national security matters. As a result, Biddle can best be described as a strict constructionist of civil liberties, which allowed him both to administer his Justice Department duties and to follow his own conscience.

Many in the administration, including the president, had either witnessed or dealt with the effects of the July 30, 1916, German sabotage of the LeHigh Valley Railway terminal at the Black Tom docks in New Jersey.<sup>14</sup> Black Tom likely spurred Roosevelt to bring Biddle, the FBI, G-2, and ONI together prior to the war and to continue monitoring of enemy aliens despite his record as a civil libertarian. During his tenure as Attorney General, Biddle, in fact, took great pains to contextualize the FBI's role as constitutional, averring that the FBI "is proving itself worthy of the high trust which the American people have placed in it....it is providing us with a

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<sup>13</sup> Memoranda on Conference in Secretary of War's Office on May 28, 1941 Relating to Subversive Activities United States, May 30, 1941, ASW 383.4 Fifth Column Activities Folder, Box 35, Security Classified Correspondence of John McCloy, 1941-1945, RG 107 Office of the Secretary of War and Assistant Secretary of War, NARA; Ibid.

<sup>14</sup> Letter to Hon. H. H. Martin, Acting American Agent, Claims Commission, United States and Germany, State Department, May 7, 1940, White House Official Files Miscellaneous Papers, Box 1, FDRPL. The sabotage operation at Black Tom was one of several operations conducted at the behest of Kaiser Wilhelm II in an attempt to delay America's entrance into the First World War. Thomas Tunney, *Throttled!*, (Boston: Small, Maynard and Co., 1919).

living demonstration of a democracy's strength in defending itself without sacrifice of democratic principles...”<sup>15</sup> Likewise, Biddle did not believe in discrimination against either foreign born or native individuals without firm evidence of wrongdoing. For example, in November, 1941 Biddle opposed the Hobbs bill, which would restrict the movement of resident aliens.<sup>16</sup> In another example, upon hearing rumblings of pending California discriminatory policies against Japanese-Americans in government jobs and private industry, both the attorney general and the president interceded in defense of the maligned. They used their offices and the American media to support all American laborers. The Executive Branch also threatened legal action against those who would discriminate in the work place.<sup>17</sup> Biddle and other civilian administration officials were thus also concerned with compromising cherished American civil liberties. The blow delivered by a military focused on protecting the home front might wound the country far more deeply than any single attack by the Axis.

Unlike DeWitt, Biddle also saw a larger picture than either the Army or the War Department in general. The Justice Department may have been somewhat sympathetic to the military's problems on the West Coast, but such support was limited by continued concern for the rights of Issei and Nisei. Contrary to the West Coast's wishes, Biddle also saw the personal suffering of the Issei and Nisei under his series of predecessors Enemy Alien policies and the resident's objectification in West Coast culture. At the heart of the situation, Biddle refused to compromise Justice's case-by-case position for California's and, now the army's blanket support that abridged civil liberties based on hearsay. Biddle knew, as one of the few authorized MAGIC readers of the pre and early war, that West Coast gossip about Issei and Nisei contradicted secret intelligence reports. Still, the Attorney General was also constrained both by his predecessor's

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<sup>15</sup> “Biddle Reports 5<sup>th</sup> Column Curb,” New York Times, March 3, 1942, p. 13.

<sup>16</sup> “Biddle opposes Hobbs bill to Detain Aliens,” San Francisco News, November 7, 1942

<sup>17</sup> “Ban on Alien Workers Scored by OPM Aid,” San Francisco Examiner, January 11, 1942

segregationist Enemy Alien policies and his own inability to overcome the administration's racial bias against the Issei and Nisei.

The conflict between internal security and civil liberties within the Roosevelt administration first erupted on the West Coast. In response to DeWitt's initial resident enemy alien queries, Captain Karl Bendetson, an Army reserve officer in the Judge Advocate General's Division (JAGD), drafted a memo advocating the "decentralization of authority" over enemy aliens. It recommended the Attorney General delegate the local FBI Special Agent-in-Charge authority to locate and detain enemy aliens and that the War Department bestows similar powers upon Western Defense Command.<sup>18</sup> DeWitt took the recommendation to the Provost Marshal General (PMG) for clarification of the parameters of WDC's investigative powers. The JAGD responded that the PMG "states that the Attorney General is authorized in the issuance of warrants for summary arrests in any house in which an alien enemy lives upon investigation by any FBI agent that is there is probably cause to believe that there is contraband on the premises."<sup>19</sup> Assistant Attorney General Rowe reaffirmed Biddle's position, stating "that he did not think they could get some of the things the general wanted." DeWitt replied, "[I]f they could not get them, the War Department was going to make an effort to do so."<sup>20</sup> Likely in response to the increased media visibility of the FBI's investigations, on January 20, DeWitt told Bendetson, "I think they [the FBI] are the most effective group of men I have ever had any contact with....because the situation is so quiet out there that it is disquieting, that is, as far as sabotage is

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<sup>18</sup> Memorandum for General DeWitt from the Office of the Judge Advocate, San Francisco, January 3, 1942, U.S. Committee on Wartime Relocation and Internment of Civilians, Reel 2, Part I, Numerical File Archive, (Frederick: University Publications of America, 1983).

<sup>19</sup> Letter from Joseph R. Clair of AGO to General John DeWitt, Regarding Authority for Warrants and on Bendetson Departure. RG 407 AG 014 .311 1941, Army AG Classified Decimal, 1940-1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>20</sup> Memorandum from D. Milton Ladd to FBI Director J. Edgar Hoover, Regarding January 4, 1942 Meeting with Peiper, Rowe and DeWitt, January 4, 1942, FBI HQ 66 - 8603-1-47, Section 1, Hirabayashi Hearing Material, Box 1, USAHEC.

concerned...” Yet, Justice had placed a brief moratorium on the raids, likely hoping the brief show of force would calm West Coast and Army fears. Like the Army's show of force in December, the attempt backfired, as the continued submarine attacks and the perception of the arrests became a feedback loop of fear for West Coast citizens, demonstrating a false assumption of further enemy wrong-doing for the civilian West Coast and, now, the WDC Commander. DeWitt responded, “... I am itching for them [the FBI] to get started and we have a complete working agreement with them out here.”<sup>21</sup>

As far as Justice was concerned, incarcerating aliens or citizens without evidence was legally, morally, and politically specious. FBI Director J. Edgar Hoover later explained to his adjutants, “We wanted to be careful that we don't get caught holding the bag if these people start hollering and the Army comes back by saying that they moved the people because the FBI said they were bad.”<sup>22</sup> Period police internal security measures and intelligence operations conducted by the FBI were capable of neutralizing the real and imagined threats under civilian law. In many cases, those advocating respect for civil liberties simply withheld their resources from those prioritizing domestic security to make their points known to the other and the White House. Ironically, both sides shared the belief that enemy agents were in-country for the purpose of disrupting American wartime activities and that some limitations on peacetime civil liberties (such as restricting access to vulnerable areas, silencing civilian HAM radios, and the suspension of weather bulletins) were warranted to hamper dangerous activities by the enemy.

The second conflict between these two rival American philosophies in the evolving conflict occurred between the Interior Department and General DeWitt's Western Defense

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<sup>21</sup> Teleconference Between DeWitt and General Miles, Regarding Conference Meeting, January 20, 1942, FBI headquarters, 62-9798, Section 15, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>22</sup> Exhibit T in Korematsu Brief, Undated, Box 1, Hirabayashi Hearing Material, USAHEC.

Command. The Department of the Interior was also reluctant to share their records, believing they would be used at cross-purpose to their own alien review boards. Like the intercepted phantom signals and the FCC's ignored correct analysis, DeWitt failed to evaluate properly the situation as an administrator with limited skills and resources working in parallel to other administrators. For example, instead of convening a civil-military board to divide fact from fiction, he followed the direct approach of a battlefield commander, gathering primary sources for his own evaluation. It was soon apparent to the civilian agencies that DeWitt had not considered the utility of their resources beyond the initial acquisition phase. As a result, the Defense Commander's move to pass off the phantom army threat to federal civilian offices both failed to shed light on the feared fifth column and alienated a federal civilian agency, which could have helped him resolve the crisis with little embarrassment or cost to the public.

Unlike the Interior Department, the WDC did not need to convince the Justice Department's Federal Bureau of Investigations (FBI) to assist the Army in internal security measures. As part of the presidential-sponsored intelligence community agreement, the FBI was responsible for the domestic security of property and persons outside the immediate control of the military. Although some civilian agents would later argue the entire West Coast became the responsibility of the military the day DeWitt declared the area a part of the Pacific Theater of War, the FBI had been providing security to civilian areas within the zone since the first bombs fell on Pearl Harbor.<sup>23</sup> At the onset of the Pearl Harbor attack, Justice, in fact, relegated draft dodger apprehension and criminal investigations to a lower priority. By the afternoon of December 7, the FBI had arrested or turned several Abwehr agents operating in the United States, detained Japanese consulate officials and intelligence operatives, and begun their own

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<sup>23</sup> "Japanese Aliens Roundup Starts-FBI Seize 300 Subversives and Plans to Hold 3000 Today," San Francisco Examiner, December 8, 1941, p. 1.

lengthy vetting of FBI Director Hoover's list of “suspect individuals” and enemy aliens of all ethnicities. In the process, they confiscated materials deemed contraband (e.g., firearms, cameras, binoculars, explosives) and placed thousands of resident aliens in custody, including members of the Japanese American Citizen's League (JACL).<sup>24</sup>

In West Coast field operations, then, the conflicting views on internal security vs. civil liberties coexisted, but the detente was rapidly overtaken by developing wartime fears. In late January, DeWitt approached the head of the FBI's regional office, Special Agent Nat Peiper, in the hope of convincing the Justice Department to reconsider undertaking activities that the Army could not, but, like Interior, Justice Department officials refused to weaken their stance on respecting individual rights. While Assistant Attorney General Rowe had initially conceded on the point of registration, the Justice Department's assistance to DeWitt ended there. Shortly after the outbreak of hostilities, Stimson and McCloy went to FDR to discuss the powers of the executive with Biddle. The result was Justice Department authorization to create restricted areas within civilian territory and excuse from removing civilians from their homes without arrest.<sup>25</sup> For the duration of the war, Justice never exceeded the prewar planned specifications for restrictions. Moreover, Justice Department Assistant Attorney General James Rowe refused to conduct Army-directed “spot raids,” citing a lack of Justice Department manpower.<sup>26</sup>

Shortly thereafter, the philosophical detente suffered another blow when DeWitt's alleged enemy signal evidence spawned another direct brush between the WDC and the Justice Department. At the end of January, 1942, DeWitt brought up issue of a “spot raid” policy change with his regional Justice Department counterparts. He hoped the new evidence might

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<sup>24</sup> Justice Department Press Release, December 2, 1942, Folder Saboteurs, Box 3, Francis Biddle Papers, FDRPL.

<sup>25</sup> James Rowe Testimony, 57, Commission on Wartime Internment, Roosevelt Internment Testimony Folder, 119, James Rowe Papers, Truman Library.

<sup>26</sup> Rowe Testimony, 52, Commission on Wartime Internment, Roosevelt Internment Testimony Folder, Box 119, James Rowe Papers, Truman Library.

complement both the Army's raids and the Justice Department's investigations and arrests of espionage and sabotage suspects. In essence, he wanted a federal agency with arrest powers to investigate alien businesses for ties to Japan, a thorough registration of all resident aliens, and sudden "spot raids" on the homes of aliens in areas his SIGINT personnel identified as sources of enemy signals. Again, he failed to gain traction.

While DeWitt probably knew that the FBI had shut down several Japanese government-sponsored businesses (such as publishing houses, shell factories for major Japanese corporations such as Mitsubishi, and friendship societies sponsored by the Japanese military), he was likely unaware that, along with Japanese business assets, the FBI had seized company records.<sup>27</sup> The venture constituted the first time the FBI or any intelligence organ had dedicated resources towards understanding the civilian component of imperial Japan's relationship with Issei and Nisei within the United States. Through these documents, the FBI traced the flow of Japanese money into the country up to the point of freezing enemy belligerents' assets and the activities of organization members with Japanese intelligence and military officials. In the process, the FBI also was able to recruit some informers within the Issei and Nisei community.

During their early war intelligence processing, the FBI, however, made two fundamental errors. They applied a matrix created to analyze Nazi Germany's recruitment and management of spies (a system based largely on civilians of German ancestry). They also failed to appreciate that Issei accruing large sums of money regularly sent funds through social networks to family members back in Japan. Additionally, the Justice Department tried to hide from other agencies and the general public two key points about the FBI: the shrinking number of already scarce FBI agents due to enlistment and the bureau's shortage of space for their steadily growing collection

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<sup>27</sup> History of District Intelligence Office, Twelfth Naval District, 99936.3, Folder Command File, World War II, February 15, 1946, Box 2, Hirabayashi Hearing Material, USAHEC; Japanese Organizations Folder, Box 2 WCCA Central Correspondence, Record Group 499 Records of the U.S Army History of the Defense Commands, NARA.

of war-generated case files. “The fact that if anything happened, the public would not give a damn about our explanation that lack of space prevented us from doing a credible job of protecting the internal security of the United States....has made a great number of us exceedingly uncomfortable.”<sup>28</sup> Hence, the military also erroneously concluded that some organization members were suspect and should be arrested. The flaws in the FBI’s analysis were discovered by the War Department and corrected circa 1943 when the WDC was ordered by the War Department to study the social dynamics of the Issei and Nisei internees.<sup>29</sup> By then, the discovery was far too little and far too late to be shared and reversed by the American military.

Still, General John DeWitt, and thereby, the War Department, remained fixated on the intercepted domestic signals he believed to be of enemy origin, which prompted Justice to conduct their own internal investigations of the data. The Army and Navy made 760 suspicious signal queries to the FCC based on their own findings.<sup>30</sup> Hoover was not convinced the unidentified signals actually indicated alleged enemy activity. The FBI did have coastal “signal” watchers, but they discovered no suspicious activity.<sup>31</sup> FBI regional offices, likewise, conducted thousands of legal raids, but no prohibited articles were ever discovered “that might offer inference of hostile act.”<sup>32</sup> The investigation linked the items to the daily conduct of the owners and, thus, deemed the situation to be non-threatening to national security. Oppositely, DeWitt

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<sup>28</sup> Interview with Former Special Agent And Deputy Director of the FBI Cartha “Deke” DeLoach (1942-1970), November 11, 2005, 3, Interviewed by Susan Rosenfeld, Ph.D. FBI Oral History Project, Society of Former Special Agents of the FBI, Inc. 2005, Internet Link:

[http://www.nlemprograms.org/Collections/Oral\\_histories/FBI/FBI\\_DeLoach\\_interview\\_Nov\\_11.pdf](http://www.nlemprograms.org/Collections/Oral_histories/FBI/FBI_DeLoach_interview_Nov_11.pdf) Accessed 1/28/2013; Letter from Rowe to Brigadier General Fleming , October 31, 1942, Folder AAG John McCloy File, Box 38, Rowe Collection, Truman Library.

<sup>29</sup> Undated Intelligence Files Report, Folder WCCA Central Correspondence, Box 2, Record Group 499 U.S. Army History of the Defense Commands, National Archive and Records Administration; Federal Bureau of Investigation Report, 1944-1945, Folder FBI Survey of Japanese Relocation Centers, I-II, Box 150, RG 24 Harry Hopkins Papers, FDRPL.

<sup>30</sup> FCC Report, April 4, 1944, Folder Japanese Relocation Cases, Box 37, Charles Fahey Papers, Truman Library.

<sup>31</sup> Memorandum for the Solicitor General, April 13, 1944, Folder Japanese Relocation Cases, Box 37, Charles Fahey Papers, Truman Library.

<sup>32</sup> Ibid.



and others in the press perceived solely the items and their owners, perpetuating the belief in a phantom army preparing to strike on the West Coast in the name of the Japanese empire.<sup>33</sup> Although the FCC continued to share the results of their investigation, the FBI, committed to defense of civil liberties, chose only to report minimal relevant information to the WDC, committed foremost to domestic security.

There were more compelling reasons for the Justice Department to reject DeWitt's request for greater West Coast involvement. The Attorney General and much of his staff had spent most of their civilian careers protesting civil rights abuses in private industry.<sup>34</sup> Also, FBI Director Hoover was reluctant to engage in conduct that could result in civil rights abuses for fear of again running afoul of the White House. Hoover warned his California special agents, “[W]e must have proof not just allegations against these people; that we are up against the Civil Liberties crowd who were more interested in civil liberties than internal security...”<sup>35</sup> It was also good practice to let suspected enemy agents go about their daily lives unrestricted and observe them from a distance. Eventually, the suspects’ actions would clear them or unveil some relationship with known enemy operatives, thus widening the list of suspects for eventual prosecution. Finally, Hoover privately feared being dragged into a situation he could not control and which would reveal the Bureau's wartime weaknesses. “We want to be careful,” said Hoover to Peiper, “that we don't get caught holding the bag if these people start hollering and the Army comes back by saying that they moved the people because the FBI said they were bad.”<sup>36</sup>

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<sup>33</sup> Memorandum for the Attorney General from J. Edgar Hoover, Director, FBI, February 9, 1942, FBI, RE: Enemy Alien Program in Western Defense, FBI HQ. 62-65880, Section 1, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>34</sup> Francis Biddle, *In Brief Authority*, (New York: Greenwood Press, 1976).

<sup>35</sup> Transcript in Korematsu Brief, undated, Box 1, Hirabayashi Court Hearing Collection, United States Army Heritage and Education Center. FDR's own love of spycraft was well known to Hoover, who used this interest to curry favor. Much of the Bureau's correspondence with the White House was informal, and it included Special Assistant to the President Harry Hopkins personally delivering select case files the president might find as enjoyable reading.

<sup>36</sup> *Ibid.*

Given the constant struggles between the two regional civilian and military administrators, James Rowe, the Assistant Attorney General, flew to California to review the conduct of the hearing boards and consult with DeWitt on his requests. In December, 1942, Rowe had agreed with DeWitt to restrict certain areas from civilian use “provided they were not too big or too many.”<sup>37</sup> Yet, like the army's initial attempts to secure the coastline, West Coast politicians considered the measures too little. California's congressmen, most notably Jerry Voorhees, had been pressing Rowe and Biddle to take swift and definitive action against the Japanese, demanding in public meetings, “What are you going to do? You’re not doing enough....” After the Army's presentation, Rowe had concluded “This is pretty thin stuff.”<sup>38</sup> “A fellow would laugh and wave it [a cloth] at night and they would therefore think he was signaling.”<sup>39</sup> Yet, the Justice officials also privately conceded, “And they made a pretty good argument...It was great praise for military necessity.” After Justice explained that the radio and visual signals were fallacious, the congressmen were frequently able to pin Justice with an unanswerable question, “What if you’re wrong?” In one committee meeting, Edward Ennis curtly replied, “[W]ell, just take us out and shoot us.”<sup>40</sup> Sadly, everyone was now tied to the West Coast’s determinations that (1) the Issei and Nisei were the source of the danger, and (2) they needed to be removed before the enemy could strike.

In response to the pressure of the Army, the Justice Department deployed ninety hearing boards, staffed by private lawyers, across the nation to oversee resident alien cases. Thereafter, when an alien was arrested by federal agents on national security grounds, he was conducted to the board at which the arresting authorities would state their case, the arrestee would make a

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<sup>37</sup> Ibid.; Rowe Testimony, 52, Commission on Wartime Internment, Roosevelt Internment Testimony Folder, Box 119, James Rowe Papers, Truman Library.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

statement in his or her defense, evidence would be presented by the federal government, and witnesses could be called by the prosecutor and the defendant to offer testimony about either the arresting incident or the character of the individual. The lawyers were then commissioned by the Attorney General to study the case and render a decision. Even there, however, Justice more often erred on the side of the state by disallowing lawyers to represent the arrestee. "I may say, Mr. Justice," added Rowe in his congressional testimony, "that it went much better, much faster without lawyers."<sup>41</sup>

With no support from the federal civilian agencies on the West Coast, General DeWitt reevaluated his tactics but not his position. His actions articulated a strict constructionist interpretation of the Constitution. In the first days of the war, he drew a line between civilian rule and his command, which bordered literally at the Pacific water's edge and the military instillations on the West Coast. DeWitt resisted every attempt by the general public and the region's political forces to draw the military into civilian law enforcement roles, including crowd control, auxiliary police, and guards for public and private property. As DeWitt had previously articulated, he believed such duties were the responsibility of civilian authorities. Furthermore, no matter how hard pressed or what advice JAG Captain Bendetsen was proffering, General John DeWitt continued to insist presidential approval was needed for policing the civilian populace, saying, "I don't see any solution now in such a case [except]...for the president to delegate authority to the Secretary of War and let him delegate it to me and let the FBI and other agencies concerned function with me and let me go ahead."<sup>42</sup> The WDC commander's attempted enlistment of the Justice Department in the hunt for the phantoms seems to have been his course of last resort, admitting, "I have no authority other than that under the present proclamation, and

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<sup>41</sup> Ibid.

<sup>42</sup> Telephone Conversation between Col. Bendetsen, and General DeWitt, August 23, 1942, 12:30 PM, Folder Martial Law, Box 15, RG 499 Records of the U.S. Army History of the Defense Commands, NARA.

that doesn't give me any authority except in Alaska... But I have no authority under the rules or regulations prescribed by the Attorney General under the presence proclamation for the continental United States..."<sup>43</sup> Once they had failed to grant DeWitt's request, the War Department and the White House became the WDC's only recourse for DeWitt to gain the authority needed to fight the West Coast's phantom army.

The War Department of the early Second World War was slow to adapt to the changing state of the war. Despite the staggering Pacific naval losses and Army retreats, the rapid Nazi blitzkrieg that consolidated Poland, Belgium, France, North Africa, and other countries had staggered both civilian and military strategists. Also, the size and effectiveness of the U-Boats in the Atlantic threatened to neutralize British and Russian attempts to stave off defeat until the United States had rearmed and could launch their own offensives. In fact, the ability to resupply Russia via aerial supply runs over the Bering Straits and the few token equipment runs Marshall could arrange for the Philippines were the only immediate concern Army war planners held for the Pacific Coast.<sup>44</sup> At the end of January, 1942, the Pacific Coast's concerns over sabotage and raids still could not compare to the War Department's growing fears of a Europe and an Atlantic Ocean dominated by Nazi Germany.

While Justice viewed a fifth column presence as a threat, the civilians in the War Department were reflexively biased against DeWitt's claims by their own past experience with clandestine warfare. In the private sector, both Henry Stimson and John McCloy had associates involved in the case LeHigh Valley had filed against the German government to reclaim fiscal losses in the Black Tom explosion. According to Kai Bird, McCloy, had, himself, studied

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<sup>43</sup> Conference with General DeWitt and Officers, January 4, 1942, Transcript, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>44</sup> Alfred Chandler and Louis Galambos, eds., *The Eisenhower Papers*, Volume 1, (Baltimore: Johns Hopkins University Press, 1970), 51 and 63-64.

German intelligence operational methods and met with several members of Europe's intelligence networks to build his client's case against Germany.<sup>45</sup> McCloy's suit failed, but Stimson saw his hands-on experience with German intelligence as an asset. Shortly after becoming Secretary of War under Roosevelt, Stimson attempted to create an intelligence organization akin to the outward looking Cold War Central Intelligence Agency under McCloy. Failing to gain traction with Congress, the president, and the FBI, Stimson hired McCloy as the War Department's expert on espionage, counter-espionage, and domestic sabotage.<sup>46</sup> Shortly thereafter, McCloy's office became the War Department clearing house for MI, FBI, and open source intelligence on the Abwehr, the German-American Bund, and the Japanese intelligence services. Many of the foreign spies, who were followed by the nascent American intelligence community, led the FBI to arrest numerous Abwehr espionage agents before and after the Pearl Harbor attack.<sup>47</sup> Hence, the confirmation that the Nazis had been engaged in clandestine operations in the United States, the intelligence operations the Japanese had conducted in advance of the Pearl Harbor attack, and McCloy's own interest in intelligence heavily biased both his and Stimson's views toward believing DeWitt's Japanese fifth column claims. As a result, in February, 1942, Bendetsen reported to DeWitt that McCloy had said, “[I]f our production for war were seriously delayed by sabotage in the West Coast states, we very possibly shall lose the war. I have not personally inspected the situation in the states, but from reliable reports from military and other sources, the danger of Japanese inspired sabotage is great. That danger cannot be temporized. No halfway

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<sup>45</sup> Kai Bird, *The Chairman, John McCloy, The Making of the American Establishment*, (New York: Simon and Schuster, 1992) 94-95.

<sup>46</sup> *Ibid.*, 137.

<sup>47</sup> Hans L. Trefousse, “Failure of German Intelligence in the United States, 1935-1945,” *Mississippi Valley Historical Review*, 1955, 84-100.

measures based upon considerations of economic service, humanitarianism, or fear of retaliation. Such measures may be too little and too late. [sic]<sup>48</sup>

Moreover, neither Stimson nor McCloy reviewed DeWitt's data themselves until 1943. In 1942, McCloy had ordered DeWitt to report his reasoning for the internment. His account was then circulated for vetting by the named departments in the report, including Justice, the WRA, and the FCC. The other departments responded to the queries both by papering their corrections and voicing to McCloy their concern that the report was based on a lie. Shocked and chagrined, the Office of Secretary of War attempted to bury the report, but the efforts failed. As discussed later, DeWitt or Bendetsen released the report to a handful of politicians, who then leaked the material to the press.<sup>49</sup> Had the War Department civilians looked at the intelligence, they would have likely realized sooner that extraordinary measures would not be necessary. Instead, the War Department lifted the matter of the fifth column, which still did not exist, entirely from DeWitt's hands.

Since the civilian leadership and military war planners had not properly evaluated DeWitt's claims, his requests for support to ferret out the phantom fifth column were routed to the War Department division with the most experience in dealing with individuals designated as Enemy Alien, the Provost Marshal General's Office (PMG). The origins of the PMG can be traced as far back as the American Revolutionary trials and executions of seditious Continental

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<sup>48</sup> Telephone conversation between General DeWitt and Col. Bendetsen, February 7, 1942, Folder Preliminary Evacuation Plan, Box 15, RG 499 Records of the U.S. Army History of the Defense Commands, NARA.

<sup>49</sup> FCC Report, April 4, 1944, Folder Japanese Relocation Cases, Box 37, Charles Fahey Papers, Truman Library; Letter from the Federal Communications Commission, Washington DC to Francis Biddle, April, 4, 1944, Box 2, Hirabayashi Hearing Material, USAHEC.; Letter from General DeWitt to McCloy, April 18, 1943, Letter of Transmittal and Airmail of the Final Report Including Two Copies, Box 2, Hirabayashi Hearing Material, USAHEC.; Transcript of Telephone Conversation between Col. Bendetsen and McCloy, Assistant Secretary of War, Washington DC, April 19, 1943, San Francisco California, Washington DC, Box 2, Hirabayashi Hearing Material, USAHEC.; Memorandum to the Commanding General, Western Defense Command for the Army, Through the Chief of Staff, May 3, 1943, Regarding Subject: Notes on Conference with Assistant Secretary of War, Box 2, Hirabayashi Hearing Material, USAHEC.

Army soldiers. The modern Office of the Provost Marshal General, however, was created by an act of congress in March, 1863,<sup>50</sup> primarily to handle recruitment and desertions in the United States Army.<sup>51</sup> The office was abolished by congress in 1867 at the conclusion of Reconstruction. It was briefly reopened and closed to manage prisoners during several subsequent conflicts, including the Spanish-American War, the First World War, and, finally, in March 1941, the Second World War. During these limited periods of action, the Laws of Land War/Law of War and, later, the Geneva Conventions were the governing principles of conduct for military justice.<sup>52</sup>

Prior to the Second World War, however, the PMG's involvement in civilian matters was severely limited. During the Civil War, the Secretary of State, the Secretary of War, and the president ordered the Army to detain civilians in the Border States. These actions were often taken for either immediate tactical military reasons or political designs.<sup>53</sup> For example, in May, 1861, the Lincoln Administration directed the Army to declare martial law in Baltimore via a series of War Department General Orders. Initially, the Army was to provide safe conduct for troops and supplies through an urban landscape teeming with mobs of Southern sympathizers. This directive led to the military detention of individuals, such as John Merryman, who had attacked bridges and railway junctions over which the United States Army moved.<sup>54</sup> Over time, however, this directive, led to the suppression of political dissent and the arrest of several members of the Baltimore Board of Police Commissioners.<sup>55</sup> In fact, these civilians, as Supreme Court Justice Roger Taney later ruled, were never formally arrested or charged with a crime, but

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<sup>50</sup> 12 Stat. 731

<sup>51</sup> Ibid.

<sup>52</sup> Arnold Kramer, *Nazi Prisoners of War in America*, (New York: Stein and Day, 1996), 27.

<sup>53</sup> Jeffrey Manber and Neil Dahlstrom, *Lincoln's Wrath: Fierce Mobs, Brilliant Scoundrels and a President's Mission to Destroy the Press*, (Naperville: SourceBooks, Inc., 2005).

<sup>54</sup> *Ex Parte Merryman*, 17 F. Cas. 144 (C.C.D. Md. 1861) (No. 9487).

<sup>55</sup> Manber and Dahlstrom, *Lincoln's Wrath*, 85.

were unlawfully detained by military personnel.<sup>56</sup> Further north, the War Department General Orders were largely enforced by federal marshals and municipal police departments. Only in rare instances, where the civilian law enforcement was either kept at bay by mobs, such as the New York draft riots, or a municipal police force was deemed untrustworthy to enforce federal law, as in the case of Reconstruction of the Southern states, did the sitting administration use the Army to police civilian population centers.

Still, the Lincoln Administration's actions negatively affected the perceptions of the Army. According to Geoffrey Stone, the Army's arrests portrayed the Union Army as overtly heavy-handed.<sup>57</sup> Later trials of individuals in the Border States continued to drive a wedge between the Northern moderates and Southern sympathizers against the Republicans and their failure to end the war. In 1863, the growing dissent gave rise to both the career and the military arrest of Clement Vallandigham for protesting the war. In one speech in Ohio, he claimed “that if the Administration had so wished, the war could have been honorably terminated months ago” and that “the Government of the United States was about to appoint military marshals in every district, to restrain the people of their liberties, to deprive them of their rights and privileges.”<sup>58</sup> His May 1863 arrest and conviction at the hands of Brigadier General Ambrose Burnside for that speech only served to deepen the divide, forcing Lincoln to intervene to save the Copperhead from execution and to save himself from creating a martyr against his application of military law. During Reconstruction, Radical Republicans used the Army to enforce the enfranchisement of African-Americans and the reassertion of federal law on the Southern states. Consequently, the

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<sup>56</sup> *Ex Parte Merryman*, 17 F. Cas. 144 (C.C.D. Md. 1861) (No. 9487).

<sup>57</sup> Stone, *Perilous Times*, 126.

<sup>58</sup> *The Trial of Hon. Clement L. Vallandigham by a Military Commission and the Proceedings under his Application for a Writ of Habeas Corpus in the Circuit Court of the United States for the Southern District of Ohio*, (Cincinnati: Rickey and Carroll, 1863), 11.



president-authorized military power over civilians was severely curtailed by the post-Reconstruction Congress in the *Posse Comitatus* Act of June 1878, which stated,

...it shall not be lawful to employ any part of the Army of the United States, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress.<sup>59</sup>

The Army's ability to enforce military law on American and European civilians abroad was also limited to short-term acts of detention *in media bellum*. In World War I, the Assistant Provost Marshals of each city were required “to investigate the papers of all American citizens wishing to enter the zone over which the American Expeditionary Forces had control.”<sup>60</sup> They directed traffic in military “areas of activity,” including urban civilian population centers.<sup>61</sup> By contrast to the Civil War era, they protected civilian property from military personnel to prevent looting and investigated thefts of civilian property by soldiers.<sup>62</sup> Eventually, the AEF's battlefield advances necessitated a protocol of temporary custodial detention to provide security for military forces and civilians in the newly seized areas. On September 12, 1918, for example, the AEF detained a civilian female, Johanna De Haas, at Neufehateau. De Haas had been caught behind American lines without identification and was being “held at liberty under surveillance and required to report daily to the police at the town to be designated by the Commanding

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<sup>59</sup> *Annual Reports of the Secretary of War, United States War Department, Volume I*, (Washington: General Printing Office, 1867), vi.

<sup>60</sup> *Commander-in-Chief's Report, American Expeditionary Forces, U.S. Army Expeditionary Force, France, 1917, Report of Provost Marshal General, Volume I*, (Washington: General Printing Office, 1942); Part I, 8, United States Army Heritage and Education Center.

<sup>61</sup> *Commander-in-Chief's Report, American Expeditionary Forces, U.S. Army Expeditionary Force, France, 1917, Report of Provost Marshal General, Volume I*, (Washington: General Printing Office, 1942) Pt II, Pg 31; *Commander-in-Chief's Report, American Expeditionary Forces, U.S. Army Expeditionary Force, France, 1917, Report of Provost Marshal General, Volume I*, (Washington: General Printing Office, 1942) Pt IIIB, 43.

<sup>62</sup> *Ibid.*, 46 and 51.

General S.O.S.”<sup>63</sup> De Haas testified that she managed a “house of recreation for German soldiers” five kilometers behind German lines.<sup>64</sup> Once her identity had been confirmed by the army personnel in contact with her relatives, she was turned over by the army to the German forces.<sup>65</sup>

On the home front during and after the First World War, the president deployed the Army in relation to civilians within the narrow confines of the *Posse Comitatus*. With the passage of the Espionage Act of June, 1917, the Army, specifically the PMG's authority over recruitment and desertion, was used by President Woodrow Wilson to stifle dissent against his military policies.<sup>66</sup> For example, on June 16, 1918, anti-war and labor activist Eugene Debs lampooned the Wilson administration before a crowd of twelve hundred listeners for arresting fellow socialists who had inhibited military law (in this case, conscription) by inciting soldiers to mutiny.<sup>67</sup>

The reestablishment of the PMG in July, 1941, however, brought a return to more innocuous uses of military law and the PMG. This included the formalization of the old Union Army and AEF's responsibilities for administering Army-wide programs for military traffic, law enforcement, military police, the control and detention of prisoners-of-war, and, eventually, the internal security demands of private industry under military contract. Although on the surface these duties seem to have required a greater interface with the civilian populace of the United States, the *Posse Comitatus* provided a narrow focus in which the Army functioned. Hence, the PMG-civilian government relationship was essentially two parallel systems that seldom

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<sup>63</sup> *Commander-in-Chief's Report, American Expeditionary Forces, U.S. Army Expeditionary Force, France, 1917, Report of Provost Marshal General, Volume I*, (Washington: General Printing Office, 1942) Pt II, Pg 31; *Commander-in-Chief's Report, American Expeditionary Forces, U.S. Army Expeditionary Force, France, 1917, Report of Provost Marshal General, Volume I*, (Washington: General Printing Office, 1942), Pt IV-E, 143.

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*

<sup>66</sup> Geoffrey Stone, *Perilous Times*, 196-197.

<sup>67</sup> *Debs v. United States*, 249 U.S. 211 (1919).

intersected in the early war years beyond right of way highway issues and civilian prosecution of errant military personnel. But that changed with DeWitt's phantom fifth column. As a result, Francis Biddle's Justice Department refusal to participate in the West Coast tete-a-tete threatened to place the War Department and, therefore, the Army, at the center of a problem. The military had deleteriously managed prisoners in the nineteenth century with dismal consequences. Consequently, by virtue of the *Posse Comitatus* they were directly prohibited from exercising military power domestically.

In this light, Justice's February 1942 abrogation of responsibility for the West Coast in favor of a military solution by a balking Army appeared to be a perfect bureaucratic bluff to stalemate Roosevelt. For a time, the civil liberties approach seemed finally to neutralize the internal security camp by withholding "Justice" from California's racial conflict. The West Coast civilian government desired to remove the Issei and Nisei but lacked the legal means for removal or detention. Instead, they wanted the federal government to resolve local prejudices and military insecurities by fiat but could not flag the president's attention needed to overcome federal inertia. Interior had the records of the enemy aliens, but neither legal means nor administrative resources, nor the desire, to use them. By contrast, the WDC had the desire to resolve the matter, but they held neither the jurisdiction nor the means to increase their show of force or test DeWitt's phantom theory. "To date there are some 25,000 men in his army engaging guard duty," reported Hoover to Biddle in February, 1942, "They're dispersed over the entire coast; they received little combat training, and would be of doubtful value in the event of any attack. The Army has reached the limit beyond which it cannot go in providing additional protection of this

character.”<sup>68</sup> The WDC, Biddle therefore believed, could not move against the Issei or Nisei without Justice Department assistance.

The PMG, likewise, did not have the resources or the established doctrine to deal with civilians on the home front. The War Department held both the resources and wanted a rapid summary resolution but lacked the jurisdiction to act. Finally, Justice had the jurisdiction, but little manpower and even less will to violate the civil liberties of a population Biddle publicly held as loyal to the United States. Without a clear legal jurisdiction, Biddle had apparently stalemated the West Coast civilians, the WDC, and the War Department.

Yet, Francis Biddle's intended recusal was not perceived by Franklin Roosevelt as a signal of West Coast military folly. Instead, it, like so many other literal and metaphoric signals in the opening months of the war, was lost in the noise for several reasons.

First, Francis Biddle, from the outset, had supplied his bureaucratic adversaries with the means to subvert the Attorney General's legal and moral high ground by calling attention to his less than certain stance that an Axis fifth column might attack America. As an advocate of prioritizing civil liberties in wartime, his position implied that some danger of sabotage, however minimal, did exist. In February 1942, a team of government lawyers outlined for the attorney general the legal doctrine for treating citizens en masse: "So long as a classification of persons or citizens is reasonably related to a genuine war need and does not under the guise of national defense discriminate against any class of citizens for a purpose unrelated to the national defense, no constitutional guaranty is infringed."<sup>69</sup> Without the Attorney General's clear legal counterpoint to the military's assertions of imminent danger, the same intelligence, which could have cleared the Nisei, also could be seen as suggesting there were non-American citizens

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<sup>68</sup> Letter from Hoover to Francis Biddle, February 25, 1942, FBI HQ 62 – 65880, Section 2, Gordon Hirabayashi Hearing Material, USAHEC.

<sup>69</sup> Grodzins, *America Betrayed*, 257

engaging in activities on behalf of the Japanese empire. This line of argument, likewise, fed into the traditional mistrust of resident non-citizens, which spawned the alien registration act prior to the war and the presidential executive orders naming resident Italians, Germans, and Japanese as Enemy Aliens. Moreover, in a later memorandum to the Secretary of War, Biddle placed the dubious decision squarely in the military's hands. "The question as to whether or not Japanese should be evacuated," Biddle wrote to Stimson, "whether citizens or not, necessarily involves a judgment based on military considerations. This, of course, is a responsibility of the Army. I have no doubt that the Army could legally, any time, evacuate all persons in a specific territory if such action is deemed essential from a military point of view for the protection defense of the area."<sup>70</sup> The net result was that Biddle had left the advocates of prioritizing internal security over civil liberties in an unchallenged position when they agreed on a military course of action to be taken to the presidency.

Second, while the Attorney General could privately discuss intelligence matters, he could not openly refute the claims of enemy espionage on the West Coast. While Biddle could have contested the rising claim of Nisei involvement in DeWitt's purported "Fifth Column," such an argument would have necessitated discussing the only clear intelligence source available, MAGIC.

Third, the Attorney General's refusal to discuss the matter further in public or private removed a rational and knowledgeable actor in the discussions between the West Coast politicians and the War Department. At the time, intelligence available to Washington did indicate the Japanese had gathered extensive information before the war. Discussions on the reliability of prewar intelligence in the West Coast situation would have been limited to FDR,

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<sup>70</sup> Memoranda from Francis Biddle to Henry Stimson, Regarding Evacuation, February 12, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

Stimson, McCloy, Biddle, and Hoover. With Biddle out of the loop, Hoover would have been next in line to present the intelligence picture. His knowledge of MAGIC, however, was also second hand.<sup>71</sup> In fact, no one in the Roosevelt Administration or the War Department had gathered both the Army and the Navy's independently decrypted data until McCloy and William Friedman's 1942 analytical reviews of the administration's failure. The procedure was developed to give a static view of enemy military deployments and operations on a given day. It was never designed to track the intent of those enemy movements. FDR's division of responsibilities between the three major intelligence organs for day to day operation had effectively eliminated cross-communication between departments. Furthermore, there is no evidence that these MAGIC-privy individuals ever discussed the details outside of their own offices (e.g., only Stimson and McCloy were in the Secretary of War's office) with anyone except the president. As a result, no one federal entity was able to aggregate a critical mass of intelligence about Japan's prewar plans for the West Coast to draw a meaningful conclusion about the enemy's capabilities, motives or intentions.

Fourth, it is also reasonable to presume that Biddle believed DeWitt was receiving the intelligence he needed to reach the Attorney General's conclusions. Throughout the war, the Justice Department believed "that the Army was reporting as inaccurate the signal intelligence reasons."<sup>72</sup> Yet, there is indication that Biddle or his staff believed that either the WDC or the

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<sup>71</sup> Access to MAGIC decrypts was limited to fewer than ten individuals early in the war. As standard operating procedure, print copies were sent individually in sealed envelopes each day to the offices of individuals with access. With the originals locked away by the Army and Navy independently in the decryption room, the distributed copies were opened, read, and then immediately destroyed. The single-frame picture review and immediate disposal have been blamed by both period actors and historians as a leading reason for the failure of the readers to obtain a full, longitudinal view of Japanese prewar intelligence operations and early war naval operations. William Friedman, *A Brief History of the Signal Intelligence Service*, June 29, 1942, 13-15, Manuscript. Folder 3. A Brief History of the Signal Intelligence Service, June 29, 1942. William F. Friedman, Box 1, Friedman Cryptographic Collection, George C. Marshall Library.

<sup>72</sup> Charles Fahy Memorandum Regarding the Hirabayashi, Kara Matsuo and Matsui Cases, April 19, 1943, Box 2, Hirabayashi Hearing Material, USAHEC.

War Department was intentionally misreporting their intelligence to persecute the West Coast Issei and Nisei. “Well, I went out and talked to Lieutenant General DeWitt,” Edward Ennis recalled, “and it was my impression that he was honestly, though mistakenly as it turned out, concerned that the Japanese fleet, which had been so successful at Pearl Harbor might break loose a task force and attack the Panama Canal or even attack the West Coast of the United States.”<sup>73</sup>

As mentioned in previous chapters, through the numerous meetings and telephone conversations among them Biddle and his associates recognized the mutual frustration of the Justice Department, the War Department, and the WDC. They did not lend any credence to the espionage claims of the West Coast civilian populace and their removal-minded political leadership. Ennis believed that DeWitt's apparent “about face and his reach for a larger power, only came about when he learned from elements in California, principally the farmer-growers, who had an avaricious eye on Japanese farming land, and from the congressmen from California, who felt the pressure from these elements...”<sup>74</sup> These forces did indeed pressure the WDC and the War Department for a removal, but, as previous chapters have indicated, DeWitt internalized the pressure as both a source of frustration and added urgency to finding his phantom enemy.<sup>75</sup> At the time, DeWitt was still fighting the War Department's pressure for internment, of which Ennis was unaware.

Fifth, the situational cognitive dissonance Justice and Interior experienced with the War Department also extended into the ranks of the United States Army. Neither the WDC on the Pacific Coast nor the War Department on the East Coast was aware of what each knew,

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<sup>73</sup> Edward Ennis Oral History, *Japanese-American Relocation Reviewed, Volume I: Decision and Exodus*, Earl Warren Oral History Project University of California/Berkeley, 1990.

<sup>74</sup> Ibid.

<sup>75</sup> Daniels, *Prisoners Without Trial*, 33; Grodzins, *Americans Betrayed*, 8.

supposed, and did not understand about their own situations. Unlike Ennis, Tom Clark held a closer association with the WDC and the War Department, saying, “[T]he Army had the responsibility to maintain order here and to win the war, and they [Office of the Secretary of War] were telling him [FDR] in pretty strong language that this was a necessity, a must. I think that emanated largely from the War Department, rather than from General DeWitt. I don't think he was responsible.”<sup>76</sup> As previously indicated, there is some truth to Ennis's charge that DeWitt was now being pressured to act by the War Department and by the West Coast anti-Asian lobby. Although they were not privy to the number of letters being received by the War Department from West Coast politicians and the radical fringe, the pressure brought by the Tolan Committee and the West Coast media was evident. By the end of the war, the West Coast anti-Asian victory and rapid expansion of the military into every facet of American life had so colored the Attorney General and his staff's perspective that they were convinced that the situation had been a political game played at the expense of the Justice Department, the Army, and Issei and Nisei. “What happened,” Edward Ennis said, “is....that the determination [to relocate the Issei and Nisei] was more political than military.”<sup>77</sup>

Moreover, by February, 1942, the culture of secrecy was having a negative impact on the relationship between the War Department and the WDC. DeWitt's superiors were funneling him critical intelligence, as Hoover was receiving his from Biddle and military intelligence. In fact, the War Department and the intelligence community remained circumspect about MAGIC and its German code equivalent, ULTRA, for fifty years after the war. It is, hence, doubtful that

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<sup>76</sup> Tom C. Clark Interview with Miriam Feingold, *Comments on the Japanese-American Relocation*, The Regents of the University of California, 1976.

<sup>77</sup> Edward Ennis Oral History in *Japanese-American Relocation Reviewed, Volume I: Decision and Exodus*, Earl Warren Oral History Project University of California/Berkeley, 1990.



Marshall ever shared any MAGIC intelligence with DeWitt beyond the veiled December 8, 1941, warning concerning Japanese interest in San Francisco and Bremerton harbors.

"Inherent in the present arrangements," General George Marshall explained to General Douglas MacArthur as late as May, 1944, "for producing and disseminating Japanese culture intelligence, however, is the grave danger that the whole structure may collapse [from] a single blunder in the handling of ULTRA" and, such a mistake could lead, "the enemy to suspect that his cryptographic systems are being read. Each commander must recognize that, however secure he may consider the handling of ULTRA within his own theater, he may lose his vital source of intelligence if adequate measures are not taken to ensure uniformly strict adherence to...security regulations."<sup>78</sup>

The restricted MAGIC material would never have been delivered to DeWitt for two reasons. For one, DeWitt stood outside the Justice Department's chain of command. [Only] the president could authorize DeWitt's access to the material. In addition, DeWitt's civilian commanders believed the enemy was capable of domestic action as had happened in the First World War. Their espionage and sabotage anxieties were reinforced by the Abwehr's continued spying in the first few months of the war as well as the infiltration of the Operation PASTORIUS spies in the summer of 1942 and Agent 146 team in 1945, though these actions were not directly related to Japanese activities.<sup>79</sup> DeWitt may have held information from the FCC indicating he

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<sup>78</sup> General George C Marshall correspondence to General Douglas MacArthur, May 23, 1944, Marshall Letter on the Use of ULTRA Intelligence Correspondence, May 23, 1944 Related Correspondence, William Friedman Cryptographic Collection, George C. Marshall Foundation.

<sup>79</sup> Over the course of the war, German intelligence succeeded in landing several sabotage teams along the East Coast of the United States. Aided by resident German-Americans, the teams were able to operate unrestricted throughout the Atlantic Coast and Midwest for several weeks. The first set of infiltrators was charged with sabotaging the North East's rail and war industrial centers. The second set of infiltrators was ordered to locate and destroy America's atomic bomb project. The teams were eventually discovered by the FBI through, in one case, the self-initiated defection of two team members who had held bitter reservations about the Nazis to voluntarily turned themselves over with the aid of individuals unknown and, in another, a drunken confession to a New York bartender who, in turn, called the FBI.

was in error over the existence of a fifth column, but he did not receive verification of these findings through War Department channels. In the final analysis, the record indicates that the WDC on the West Coast and the War Department on the East Coast believed the other knew more, not less, than they actually did.

Sixth, Hoover stood to gain considerably from either a WDC and/or War Department failure. After Biddle's recusal, Hoover failed to rise to the occasion for several reasons. His personal experience with the WDC in December and January had negatively colored his perceptions of DeWitt. Likewise, his own intelligence resources and outside sources had verified the incorrectness of DeWitt's and, now, the War Department's, claims. Furthermore, a potential spy under clandestine observation was more valuable to the FBI, serving as a conduit for an FBI disinformation campaign similar to his ongoing operations against Nazi Germany. Not participating in the WDC's fruitless search would liberate manpower for undercover and information-gathering operations. From a bureaucratic point of view, the WDC's loss of FBI support would have simultaneously tarnished military intelligence, enhanced Hoover's own domestic reputation, and provided the FBI with entrée to ask for a share of their resources.

Finally, Biddle had also been shortsighted in recusing Justice Department resources from playing any role in the contemplated unlawful removal of American citizens or resident aliens from Pacific Coast. As previously mentioned, the Federal Bureau of Investigation had already lawfully arrested or temporarily detained individuals Justice had considered dangerous within established constitutional law. As previously demonstrated, Justice did not possess the manpower to manage a removal of civilians on the scale being considered by the War Department. In fact, since December 26, G-2 had claimed that the FBI was even failing to give

“sufficient attention to counterespionage activities.”<sup>80</sup> By January, it had become clear to Justice that the Army did not wish to "undertake conduct and control of alien enemies anywhere in the continental United States." Instead, the military wanted Justice to act for them "with expedition and effectiveness."<sup>81</sup> Both Justice and the Army had also previously concluded that municipal and state law enforcement authorities were not competent agents for any aspect of the endeavor because they might further inflame the situation.

On February 12, the argument between Justice and the War Department over responsibility reached a critical point. “Let me add again,” Biddle wrote Stimson, “that the Department of Justice and particularly the Federal Bureau of [I]nvestigations, is not staffed to undertake any evacuation of large-scale--larger, in fact, that has already been undertaken. Obviously the Army is the only organization which can arrange the evacuation [sic].”<sup>82</sup> Although likely unintended, Biddle's memoranda had, in effect, now left the Army as the sole logistical determinant regarding the detention or removal of the West Coast citizenry. Justice did not count on the military's desire or ability to mobilize resources from the East an operation against its own citizenry. In view of the civilian agencies’ apparent failure to adhere to the prewar intelligence agreement and abrogation of responsibility for internal security matters, the War Department felt justified in lobbying for unilateral military action.

The War Department prepared to bring their case to the White House, but actually little preparation was required to steer the president in favor of extraordinary measures against the Issei and Nisei. Historian Greg Robinson has asserted that Franklin Roosevelt, like many of his

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<sup>80</sup> FBI DM Ladd memo to DEA Tamm, Regarding Contact with Nat Peiper on Counterespionage by G2, December 26, 1941, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>81</sup> Memoranda from the Commanding General, Western Defense Command, John DeWitt to Assistant Attorney General James Rowe, Jr., January 5, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>82</sup> Memoranda from Francis Biddle to Henry Stimson, Regarding Evacuation, February 12, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

generation, held a longstanding personal bias against most Asians, viewing Japanese specifically as socially and culturally backwards as well as cunning, untrustworthy inferiors. While many have claimed that the president's internment decision ran contrary to Roosevelt's established Depression Era civil rights record, Robinson maintains that decision was, in fact, in line with these stereotypes, including Roosevelt's private assertion that the Issei were “innately incapable of adapting to American society.”<sup>83</sup> As a youth, he had marveled at the Japanese's naval prowess, but their 1904 preemptive strike against the Russian Navy at Port Arthur and the following bloody campaigns against the Russian Army in East Asia had transformed Roosevelt's perspective of the Japanese from noble warriors to cunning, savage political rivals. Such sentiments, Robinson indicates, “Must be considered to have significantly shaped his momentous decision to evacuate Japanese Americans from their homes.”<sup>84</sup> Steven Gillon has noted that FDR believed the initial radio reports that the Nisei in Hawaii had been directly involved in the destruction of the fleet.<sup>85</sup>

Roosevelt had also had two personal experiences with sabotage. FDR became acquainted with the methods and effects of American-based German sabotage teams when a foreign agent triggered an explosion on July 30, 1916, at the Black Tom docks in New Jersey.<sup>86</sup> The blast destroyed the LeHigh Valley Company's railway terminal, reduced the freight yards and dock works to a smoldering crater, shattered windows throughout the surrounding harbor, and lit a raging fire that led to a cascade detonation of stockpiled ammunition. It took over a week to extinguish the blaze. Then, in June 1919, Undersecretary of the Navy Roosevelt and wife Eleanor were returning to their Washington, D.C. residence when a would-be assassin

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<sup>83</sup> Robinson, *By Order of the President*, 242.

<sup>84</sup> *Ibid.*, 118.

<sup>85</sup> Steven Gillon, *Pearl Harbor: FDR Leads the Nation into War*, 61.

<sup>86</sup> Tunney, Throttled!

prematurely detonated a package being left on the doorstep of the Roosevelt's neighbor, A. Mitchel Palmer. The bomb, designed to kill the Attorney General, ripped the anarchist apart and demolished the front of Palmer's brownstone. Historian Joseph Persicco avers that both incidents deeply scarred the future president.<sup>87</sup> For FDR, therefore, there was little reason to chance the devastation a foreign agent might bring to the West Coast when the unchallenged prejudicial view of the Japanese was put before him.

Roosevelt believed in the wake of Pearl Harbor that Japanese naval and intelligence capabilities were far greater than his subordinates thought. For example, in the opening hours of the attack, FDR ordered his subordinates not to discuss names or numbers of American losses over the White House phone lines for fear that the Japanese might be tapping White House phones.<sup>88</sup> Furthermore, FDR's focus on enemy capabilities became increasingly narrow due to the very nature of the intelligence bureaucracy he had created. His initial assessment of the attack came from the War Department and, because of his prewar intelligence organ mandate, his intelligence assessments continued to arrive largely via the War Department. The few FBI intelligence reports to arrive on his desk were usually sent by Director Hoover through FDR confidant Harry Hopkins to ensure arrival or were summarized by Biddle for the president's discretion.<sup>89</sup> While Biddle and Hoover had credence on domestic affairs, Roosevelt's personal beliefs and past experience with sabotage biased him towards the more cautious military perspective.

“I don't think Roosevelt paid much attention to this thing [the internment] at all,” said Rowe. “I think somebody got over there at the White House and he said well its war....The entire

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<sup>87</sup> Joseph Persicco, *Roosevelt's Secret War: FDR and World War II*, (New York: Random House, 2001), 32.

<sup>88</sup> *Ibid.*

<sup>89</sup> Boxes 140-152, Harold Hopkins Papers, FDRPL.

atmosphere was one of tension, of crisis and Roosevelt was concentrating on the war in these gloomy months. The Japanese evacuation question must have been a fringe matter for him....”<sup>90</sup>

Still, Roosevelt did commission two separate reports on the California situation for him. The Munson and Ringle reports unambiguously indicated that the majority of the Issei and Nisei in the WDC were victims both of circumstance and longstanding West Coast prejudice.<sup>91</sup> Both Curtis .B. Munson, a special representative of the State Department, and Lieutenant Commander K.D. Ringle of the 11th Naval District in Los Angeles separately asserted that the Issei and Nisei were almost certainly loyal to the United States. Yet, the reports also indicated a margin of error. Ringle concluded that the number of Japanese agents in-country “is estimated to be less than three per cent of the total number of resident Issei and Nisei, or about 300 in the entire United States.”<sup>92</sup> Munson also told the FBI he was “horrified to note that such vital facilities as harbors dams, bridges, tunnels, railroads, power plants, etc. are left unguarded.” In discussion with different American intelligence organs, Munson mentioned “San Pedro Harbor and the possibility of sabotage being committed in Southern California.”<sup>93</sup> Still, both Ringle and Munson determined, like Biddle, that the potential actions of these few would be at the level of nuisance and not the grand threats that the WDC and the War Department argued they were.<sup>94</sup> In light of Biddle's refusal, this circumstantial evidence was easily manipulated by the War Department for

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<sup>90</sup> James Rowe, Dillon Myer and James Fry, *The Japanese Evacuation Decision*, The Board of Regents of California, 1976.

<sup>91</sup> *Personal Justice Denied: Report of the Commission on Wartime Relocation and Internment of Civilians*, (Washington D.C., Civil Liberties Fund, 1992), 52-54.

<sup>92</sup> Ringle Report on Japanese Internment Serial No. 01742316, From: Chief of Naval Operations, to the Commandant, Eleventh Naval District, Subject: Report and Suggestions regarding handling Japanese Question on West Coast by C.B. Munson, dated December 20, 1941, Los Angeles, California, December 30, 1941, Internet Link: <http://www.history.navy.mil/library/online/jap%20intern.htm>. Accessed: 8/1/2013.

<sup>93</sup> FBI Weekly Conference, ONI G2 and FBI, San Fran Dec 6, 1941, FBI HQ 66-8603-1-47, Section 1, Box 1 Hirabayashi Hearing Material, USAHEC.

<sup>94</sup> Ringle Report on Japanese Internment Serial No. 01742316, From: Chief of Naval Operations, to the Commandant, Eleventh Naval District, Subject: Report and Suggestions Regarding Handling Japanese Question on West Coast by C.B. Munson, dated December 20, 1941, Los Angeles, California, December 30, 1941, Internet Link: <http://www.history.navy.mil/library/online/jap%20intern.htm>; FBI Weekly Conference, ONI G2 and FBI, San Fran Dec 6, 1941, FBI HQ 66-8603-1-47, Section 1, Box 1, Hirabayashi Hearing Material, USAHEC.

their own purposes akin to the West Coast's Caucasian populace. Perceived holes in intelligence data had now, in essence become the de facto evidence of potential enemy activity unless otherwise disproven by intelligence agents.

For the Washington politician, the situation was also political. FDR's failure to enact civil rights reforms had been a shrewd maneuver to guarantee the support of the Democratic South and similarly aligned forces in northern cities. Furthermore, the federal government had undermined labor in the early twentieth century by attacking their prospective membership base, immigrants. Those who held marketable skills were considered by political leaders to be useful to society and were spared federal trouble. Individuals government considered racially inferior, such as Eastern Europeans, Asians, and Poles, were marked by law enforcement as potential subversives for investigations.<sup>95</sup> Some federal officials, most notably Attorney General A. Mitchell Palmer, went still further in the postwar era, utilizing national security concerns to curb immigration through aggressive and illegal means, such as the 1919 Palmer Raids, and the exclusionary immigrant laws against Eastern Europeans, Jews, and Asians in the 1920s. Hence, FDR's predisposition against the West Coast Issei and Nisei was not an economic or political issue. Moreover, California was also heavily Democratic. With the few exceptions of individuals nationalized by their service in the military, the Issei were not allowed to vote, and the majority of the Nisei were too young to vote. Likewise, neither the Issei nor the Nisei held sufficient economic influence to outweigh other regional concerns. In effect, the West Coast's residents of Japanese descent were and would remain political non-people in the eyes of the White House. Without Biddle and the Justice Department's voices, there was no one left to speak for them in the president's national security circle, including the president.

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<sup>95</sup> Gerstle, *American Crucible*, 65.

“I think the Chief, Roosevelt, was a bit biased, too,” remembered New Dealer and later War Relocation Authority Director Dillon Myer, regarding the president's support of West Coast Chinese against the Japanese. “He loved the Chinese. Eleanor Roosevelt told me this. She made a trip down to Gila, Arizona, and I rode back with her to Phoenix and we had quite a talk. And I asked her what the President's feelings were about this whole thing. She said, 'I really don't know.' She said, 'I know he doesn't feel about the Japanese the way he felt about the Chinese.’”<sup>96</sup>

Therefore, the only pieces missing from the War Department's cases were the managerial means to dispose of the situation and a West Coast military advocate for the War Department's wholesale resolution to the situation. The detention of enemy aliens was the concern of the only other federal entity capable of housing potentially dangerous individuals, the Provost Marshal General's Office. This new participant, however, had been socialized not to investigate and decide wrong-doing and then incarcerate. Yet, military law and civilian law, in this case, differed greatly in one essential respect. Given their training and access to lethal weaponry, soldiers and sailors were held by congressional law to a higher standard of conduct. Biddle had hoped taking the moral high ground would defuse the WDC's fifth column fears, but DeWitt's now constant calls to the War Department were being routed by the Office of the Secretary of War through the Justice Department's military equivalent, the PMG. As discussed in Chapter 5, Stetson Conn had pointed out that, prior to the war; DeWitt had refused to consider the PMG's suggestion for planning for the forced removal of enemy aliens from the WDC.<sup>97</sup> Given the rise in enemy activity off the coast and legal issues at play in the WDC, the PMG sent a new JAGD lawyer,

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<sup>96</sup> Rowe, Dillon Myer and James Fry, *The Japanese Evacuation Decision*, The Board of Regents of California, 1976, 89.

<sup>97</sup> Conn in Martin Blumenson, Robert W. Coakley, Stetson Conn, Byron Fairchild, Richard M. Leighton, Charles V.P. von Luttichau, Martin Blumenson, Robert W. Coakley, Stetson Conn, Byron Fairchild, Richard M. Leighton, Charles V.P. von Luttichau, Charles B. MacDonald, Sidney T. Mathews, Maurice Matloff, Ralph S. Mavrogordato, Leo J. Meyer, John Miller, Jr., Louis Morton, Forrest C. Pogue, Roland G. Ruppenthal, Robert Ross Smith, Earl F. Ziemke, eds, *Command Decisions, Chapter V: The Decision to Evacuate the Japanese from the Pacific Coast*, (Washington D.C., Government Printing Office, 1959), 125-151.



Lieutenant Karl Bendetson, to serve as DeWitt's on-hand councilor and legal liaison to the PMG. Born in 1908, Washington State, Bendetsen graduated Stanford University Law School and practiced law for lumber and mining companies throughout the West Coast before joining the Army's Office of the Judge Advocate General in 1940.<sup>98</sup> According to WDC officer Victor Hansen, Bendetsen "was not an army man. Bendetsen was a lawyer; .... he had worked in Jesse Steinhart's law firm, which is a very fine firm in San Francisco. He got into the service....He was a pretty good lobbyist, and a very ambitious individual. He was a doer; he got things done quickly, and he just hacked his way through [sic]."<sup>99</sup>

There is little indication of his personal views of Asian Americans, but Bendetsen saw his new assignment as an opportunity for advancement. In one WDC instance, for example, Dewitt assigned an officer to add to a list of areas "originally signposted where the Japanese could relocate voluntarily". The officer's actions were discovered by Bendetsen who protested the potential loosening of restrictions on the grounds that the War Department had directed him alone to decide where the Issei and Nisei could reside. DeWitt apologized for the oversight and, consequently, over the next several months, Bendetsen continued to reduce the number and size of the areas open to resettlement in keeping with the War Department's changing direction.<sup>100</sup>

According to James Rowe, Bendetsen's arrival on the West Coast changed the entire dynamic of the WDC. "Bendetsen," he said, "was a bad, bad fellow." In dealing with Bendetsen months later, Dillon Myer of the War Relocation Authority agreed. "Oh, he's able and he's a smart boy and he has good charm if he wanted to turn it on, and he charmed..."<sup>101</sup> By his own

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<sup>98</sup> "Karl R. Bendetsen, 81, Executive and High Ranking US Official," New York Times, June 30, 1989.

<sup>99</sup> Victor Hansen and Amelia Fry, "West Coast Defense During World War II", Earl Warren Oral History Project, The Regents of the University of California, 1977.

<sup>100</sup> Ibid.

<sup>101</sup> James Rowe, Dillon Myer and James Fry, *The Japanese Evacuation Decision*, The Board of Regents of California, 1976, 99.

admission, Bendetsen “conceived the method, formulated the details and directed the evacuation of 125,000 persons of Japanese ancestry from military areas.”<sup>102</sup> Years later both Rowe and Myer admitted that they could neither out-charm Bendetsen nor out-argue his War Department stance. In one ad hoc congressional meeting, they claimed, “Bendetsen came down with us and he'd say to the congressmen, they [the Japanese Americans] had to be moved. And we'd say no, they didn't. I remember one congressman saying to Ennis, ‘Now just suppose you and Rowe are wrong?’ Ennis, with an Irish smile, said, ‘I guess the only thing you can do then, is take us out and shoot us.’”<sup>103</sup>

Behind the scenes, Bendetsen maneuvered the WDC and Justice Department to widen the parameters of the restricted areas based on Biddle's admission that sabotage was a realistic possibility. Instead of relying on the telephone, Bendetsen met with War Department representatives for DeWitt. Far from objecting at the usurpation of authority, DeWitt correctly viewed Bendetsen as working in parallel with the WDC as a War Department staff member.

The arrival of Bendetsen was also likely seen by the General Staff and the Office of the Secretary of War as a boon for DeWitt, given his reluctance to engage the West Coast civilian leadership or gain traction with the Justice Department as well as his disagreement with the War Department's stance. DeWitt took the atypical battlefield measure of authorizing the creation of a G-5 Division (the administrative entity authorized for a field commander to deal with an occupied nation's populace) under Bendetsen to manage the internment, based in a hotel blocks away from the Presidio.<sup>104</sup> The matter was now, DeWitt concluded, off his desk and into Bendetsen's new office. On January 25, the Justice Department received from Bendetsen the first

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<sup>102</sup> Francis Biddle, *In Brief Authority*, 213.

<sup>103</sup> *Ibid.*

<sup>104</sup> Victor Hansen and Amelia Fry, “West Coast Defense During World War II,” Earl Warren Oral History Project, The Regents of the University of California, 1977.

recommendations for the specifics of the restricted areas as DeWitt was continuing to tell the War Department that “an American citizen, after all is an American citizen, and while they may not all be loyal, I think we can weed the disloyal out of the loyal and lock them up, if necessary.”<sup>105</sup>

Still, the synergy between West Coast racism and had conjoin with American military necessity. Although in disagreement with DeWitt, Bendetsen accepted the Justice Department-approved restricted areas without comment, granting the West Coast’s anti-Asian populace the boom it had long sought. Over the next month, he used the same areas to further widen the breach between the Japanese residents and the nation with the goal of wholesale classification of the West Coast as a restricted area. With the new restrictions, removal of any residents became a foregone conclusion under the War Department's “military necessity.” The maneuver had fulfilled Earl Warren's proposal, which had been originally blocked by DeWitt and now overridden by the PMG, through piecemeal acquisition. “[T]he Army just made the recommended restricted areas huge,” explained Rowe, “I--practically the whole city of Los Angeles or Seattle.[sic] And we just said, ‘The hell with that, take it away.’ We really thought this was the real fight...We clearly had no statutory authority to do it. We were just telling the Army, ‘We're not going to do this,’--accept restricted areas for alien enemies and they were saying, ‘You have to do it. Military necessity.’[sic]”<sup>106</sup> The War Department, however, continued to be plagued by the nature of DeWitt's complaints about the WDC’s continued inability to respond to potential Axis threats. The Army had, in part, established the zones to handle potential internal threats, but DeWitt did not have the troops or facilities for the Army to find his phantom army.

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<sup>105</sup> Francis Biddle, *In Brief Authority*, 215

<sup>106</sup> James Rowe, Dillon Myer and James Fry, *The Japanese Evacuation Decision*, Oral History Interviews, The Board of Regents of California, 1976, 157.

The policing of civilians was a matter for the Justice Department, but Biddle refused to involve himself in the situation. Stimson and McCloy felt the alleged danger of sabotage was credible on face value and took no steps to investigate the matter any further. They likely also saw DeWitt's denial of mass evacuation as a battlefield commander's fear of admitting a loss of control of his appointed zone and Bendetsen's steps as a measured response for dealing with civilians in wartime akin to Lincoln's actions. Bendetsen's actions might also have been face-saving, concealing both DeWitt's command failures and the War Department's jeopardizing of the West Coast in a situation perceived as similar to that of Pearl Harbor.<sup>107</sup>

Consequently, many erroneously saw some form of Issei and Nisei removal as necessary to the security of the West Coast, opening the doorway for the American army to demonstrate their own version of vigilantism. The size (from spot raids to remove individuals to group removals from areas abutting designated national security sites to the entire WDC), scope (the Issei could legally be removed under the Alien and Sedition Acts, but not their American-born children), and length (from a few weeks to the duration of the war) of the removal were the only points still being debated. In this field of shadows, there was no questioning the false premise or thought of the effects on American citizens of the policy under consideration.<sup>108</sup> There were only places in which imagined enemies could hide and the Issei and Nisei had already become the default enemies of the West Coast.

The abandonment of rationality can be seen in the evolution of DeWitt and the PMG's conversations regarding the potential for enemy alien espionage and sabotage on the West Coast. When the subject of enemy aliens and removal returned in the context of the potential fifth

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<sup>107</sup> By 1944, the War Department had elevated Bendetsen to the rank of Colonel for his management of the War Department's evacuation and internment resolution and transferred him to SHAEF for the planned invasion of Europe. "Karl R. Bendetsen, 81, Executive and High Ranking US Official," *New York Times*, June 30, 1989.

<sup>108</sup> James Rowe, Dillon Myer and James Fry, *The Japanese Evacuation Decision*, Oral History Interviews, The Board of Regents of California, 1976, 218.

column threat, on January 28, 1942, DeWitt reiterated to Bendetsen a conversation held the previous day with Governor Olson.

DeWitt: I'll tell you confidentially that the Governor himself feels the same way. He wants to get rid of them; if you'd like to get rid of every one of them....he doesn't care where he is born.

Bendetsen: Yes, now I think..... That anything, any action taken by the Federal Government towards the movement of Japanese out of California or away from the coast, like Los Angeles and those places... Anything that the federal Government does to that end will receive the heartiest approval of the people of California. That's my reaction, after talking to the governor yesterday.

DeWitt: As I told the government yesterday, I said: you can't just talk about the about Japanese, you've got the Germans on your hands ... And you have to look out in handling the Japanese question that the Japs don't use the Germans all as a front if you leave them all in the area. [sic]<sup>109</sup>

Shortly, thereafter, on February 6, Gullion told McCloy, "Sabotage on West Coast could lose the war. He [DeWitt] hasn't been there but has reliable reports that argue danger of Japanese inspired sabotage is great. The danger cannot be temporizing. No halfway measures based upon consideration of economic disturbance, humanitarianism, or fear of retaliation will suffice. Such measures may be "too little and too late."<sup>110</sup>

For DeWitt, Gullion recommended:

STEP ONE: Restrict areas and exclude alien enemies. This has begun and will continue to completion.

STEP TWO: Intern all aliens and such citizens as voluntarily agree

STEP THREE: Make military reservations are restricted areas. Excluded Japanese would not be given credentials to enter.

STEP FOUR: Reconsider resettlement merits elsewhere but not the function of the Army<sup>111</sup>

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<sup>109</sup> Bendetsen-DeWitt Conversation on Relocation, Jan 28, 1942, Sent to J. Edgar Hoover via Nat Pieper, Feb 3, 1942, FBI HQ 62 - 33 413HIRA, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>110</sup> Memoranda from PMG General Gullion to Secretary of War John McCloy, Regarding Sabotage Requirements, February 6, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>111</sup> Ibid.

In the space of one week, DeWitt's own now comparatively pro-civil liberties perspective was supplanted on the West Coast by a Civil War-level of security consciousness, but the primary issue remained: from where would come the manpower needed to suppress the imaginary threat? Similar to Justice, the Army, specifically the PMG, did not wish to take ownership of the crisis. On February 1, PMG General Gullion, Major Bendetsen and General DeWitt finally settled the matter in a joint press release with the Justice Department. After consultation by circular memos, the parties agreed that the military and Justice, as in the intelligence agreement, would share the responsibility and provide the manpower to end the crisis.

Yet, just as the War and Justice Departments were finalizing the details, the old arguments over military necessity, manpower, and civil liberties versus domestic security erupted yet again. In the original press release, DeWitt had indicated, "The Department of War and the Department of Justice are in agreement that the present military situation does not at this time require the removal of American citizens of the Japanese Race." Justice, however, was unhappy with the implication that Issei relocation could occur. Justice, Bendetsen claimed, wanted it clear that "As far as any action is concerned looking toward the evacuation persons involving citizens of the United States of Japanese extraction, they [the Department of Justice] will have nothing apparently whatsoever to do with it..." The WDC commander correctly interpreted the qualifier as closing out the possibility of security reinforcements. In response, just hours before the document was to be released to the press, DeWitt rescinded the statement,

saying, "What they're trying to do, it looks to me, just off the bat without thinking it over, they're trying to cover themselves and will promulgate a false sense of security."<sup>112</sup>

Unknown to DeWitt, Bendetsen, who had been covertly playing DeWitt, Justice, and the PMG against each other, was also attempting to cover himself from the now likelihood his own advocated mass evacuation plan would be enacted. In a private memorandum to his PMG superior, Bendetsen wrote:

In my judgment, the evacuation of only alien Japanese from Pacific coast or from critical areas would accomplish little as a measure of safety.... By far the vast majority of those who have studied the Oriental assert that a substantial majority of Nisei hold their allegiance to Japan, are well controlled and disciplined by the enemy, and at the proper time will engage in organized sabotage, particularly should any along the Pacific Coast be attempted by the Japanese. It is, therefore, my opinion that it would be almost as well to leave the alien Japanese undisturbed in his present habitat along the West Coast than to evacuate and intern only alien Japanese and leave the citizen Japanese untouched. In the opinion of the undersigned a solution to the problem can be found only in a means whereby all known subversive individuals and all persons with some best suspected subversive tendencies can be denied access to vital installations.<sup>113</sup>

Bendetsen's arrival on the West Coast also broke the deadlock between the WDC and the War Department within a matter of days. Over the course of weeks, he had become the West Coast's advocate for the racially motivated removal of the Issei and Nisei. While Bendetsen was listening to the Justice Department's complaints about the War Department's search for order, DeWitt remained in his San Francisco office. There, he argued with the War Department directly that Bendetsen and the PMG's now apparent intention to evacuate the West Coast Issei and Nisei contravened his orders. His "missions," he stated, "are to defend from attack [the West Coast] and protect locations not protected by locals." In regards to removal, DeWitt instead advocated a voluntary evacuation followed by a national security vetting process, with those Issei passing the

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<sup>112</sup> Telephone Conversation between Generals Gullion, DeWitt and Captain Bendetsen, Regarding the Conference with the Justice Department, February, 1, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>113</sup> Memo from the Provost Marshal General's office, "Aliens and Enemies on the West Coast (and other subversive persons)" by Carl Lieut. Karl Bendetsen, February 4, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

review to be given immediate permission to return.<sup>114</sup> This was approved policy for war workers in defense plants as per the prewar intelligence agreement, but DeWitt's plan, which would have also included resident Germans and Italians, required substantially more WDC manpower with no guarantees of finding DeWitt's phantom army.

In response, DeWitt abandoned his Axis nationalist-as-enemy stance as Stimson ordered him "to make a specific recommendation based on a careful review of military necessity."<sup>115</sup> From the War Department security-first perspective, a single mass removal was the most time- and resource-effective course of action. Still, as late as February 21, 1942, internal War Department communications show that DeWitt had "no mass movement in mind."<sup>116</sup>

Yet, in a follow-up memorandum, DeWitt further hurt both his case with his superiors and those to be interned. Hard pressed to explain his inability to find his phantom enemy, he invoked the racist rhetoric of his West Coast civilian contemporaries and the president. He said:

In the war in which we are now engaged racial affinities are not severed by migration. Japanese races and enemy race and while many second and third generation Japanese born on United States soil, possessed of Japanese citizenship, and become Americanized, the racial strains are not diluted. To conclude otherwise is to expect that children born of white parents on Japanese soil sever all racial affinity and become loyal Japanese subjects, ready to fight, and if necessary, to die for Japan in a war against the nation of their parents. That Japan is allied with Germany and Italy in the struggle is no ground for assuming that and Japanese, barred from assimilation by convention as he is, though born and raised in the United States, will not turn against this nation when the final test of loyalty comes. It, therefore, follows that along the vital Pacific coastal frontier over 112,000, potential enemies, of Japanese extraction, are at large today. There

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<sup>114</sup> *Personal Justice Denied*, 75-77.

<sup>115</sup> *Ibid.*, 79.

<sup>116</sup> Transcript of Telephone Conversation between General John DeWitt and Secretary of War Henry Stimson with attached note by Lieutenant Colonel Karl Bendetsen February 21, 1942, Aliens Folder, Box 1, Formerly Top-Secret Correspondences of Secretary of War Stimson, July 1940-September 1945, RG 107 Office of the Secretary of War Stimson Papers. There is considerable disagreement in the literature and among civilian sources as to when DeWitt reversed his internment decision. Even the congressional investigation of the internment chose to rely on hearsay and qualifying language (including "May have," "suggested," and "probably") to pin down DeWitt's intentions. Civilian agents of the federal government claimed that DeWitt was either for the internment from the outset, contrary to Stetson Conn's evidence, or was intent on mass evacuation as late as early February, 1942. The War Department's internal communication records show otherwise. *Personal Justice Denied*, 75.



are indications that these are organized and ready for concerted action at a favorable opportunity. *The very fact that no sabotage has taken place to date is a disturbing and confirming indication that such action will be taken.*<sup>117</sup>

An inspection of dates, however, shows that neither DeWitt's complaints nor reports nor follow-up memoranda affected the War Department's maneuvering for removal. Still, the false premise of West Coast suspicion against the Issei and Nisei and the unknown origin of the signals from DeWitt's phantom army had effectively led the commander to join the West Coast's anti-Asian bias with military necessity on baseless grounds. This completed the West Coast's long sought goal of the Issei and Nisei's military removal.

Washington, however, was already well ahead of DeWitt. A later congressional investigation determined the War Department was already maneuvering to see the president by finally obtaining concessions from Biddle's actively resistant deputy, Rowe. On February 5, McCloy and Rowe discussed the Issei legal situation, after which PMG Gullion advised McCloy of his resolution of the "Japanese problem," which was to alter the question of internment "from 'whether' to 'how'." The War Department then drafted a proposal for the president taking Bendetsen's restricted areas as justification for the exclusion of "all persons, whether aliens or citizens, who are deemed dangerous as potential saboteurs, espionage agents and fifth columnists by the administering military authorities."<sup>118</sup> DeWitt's report thus only back-filled the War Department's case. Also on February 5, Stimson sent FDR word that the situation was well in

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<sup>117</sup> Memoranda from General John DeWitt to Secretary of War Henry Stimson, Regarding the Evacuation of Japanese and of Subversive Persons on the Pacific Coast, February 13, 1942, Record Group 407, Army Attorney General, Classified Decimal File, 1940-1942, Box 2, Hirabayashi Hearing Material, USAHEC. His count of 110,000 arose from the following approximate numbers: 14,500 in Washington, 4,000 in Oregon, 93,500 in California. Ibid. Italics added by author for emphasis.

<sup>118</sup> *Personal Justice Denied*, 78.

hand, saying the department was giving "careful consideration" of the matter under their present wartime powers.<sup>119</sup>

The conflicting civil liberties and domestic security priorities of the Justice and War Departments, respectively, finally crossed swords at the White House. Biddle, hearing about the military's machinations, made one last attempt to blunt the War Department's proposal by bringing his case directly to the president. On February 7, the Attorney General sat down for a lunch meeting with Roosevelt to offer his unsolicited advice on the West Coast situation. Although the president left no record of the conversation, Biddle later remembered, "I discussed at length with him the Japanese stating exactly what we had done, that we believe mass evacuation at this time inadvisable, that the F.B.I. was not staffed to perform it, that this was an Army job not, in our opinion, advisable; that there were no reasons for mass evacuation and that I thought the Army should be directed to prepare a detailed plan of evacuation in case of an emergency caused by an air raid or attempted landing on the West Coast....Generally he approved being fully aware of the dreadful risk of Fifth Column retaliation in case of a raid."<sup>120</sup> "The action," Biddle qualified in his memoirs, "was perceptually unquestionably legal as far as Japanese citizens, Issei as they were called, were concerned. But the Nisei, American citizens from the day they were born in this country like any other Americans, were also treated like aliens, which they were not. .... [and] were deprived of their normal way of living, set apart from other Americans, and forced into camps as potential enemies of their country."<sup>121</sup>

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<sup>119</sup> Letter from Stimson to FDR, Regarding Recommendations Forwarded 8 November, 1941, February 5, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>120</sup> Ibid.

<sup>121</sup> Biddle, *In Brief Authority*, 213; Ironically, Biddle echoed DeWitt's original opinion that "an American citizen, after all is an American citizen, and while they may not all be loyal, I think we can weed the disloyal out of the loyal and lock them up, if necessary."

Biddle has been largely criticized by historians for not protesting FDR's inaction over the following days. In light of his recusal from the West Coast situation, his meeting demonstrates that he knew the content of the War Department's proposal and his part in its creation. Biddle was also well aware of the president's managerial style. According to his memoirs, a war in the White House between the military and Justice would not have ended well for Biddle. "The President," he said, "cared little for administrative niceties."<sup>122</sup> Roosevelt did not care for open debates. He cared even less for daily bureaucratic management. If he wanted something done, he sent the broad strokes in memoranda to the appropriate offices and trusted the involved agencies to work out the details. Biddle considered bringing the conflict into the Oval Office unthinkable, even politically dangerous.

"He," said Biddle of Roosevelt, "grew infinitely tired of the continual bickering between department heads, which went on as if there had been no war; this noisy friction gave the country a sense of disunity and a feeling that the administration did not know where it was going. Differences of opinion were healthy but the jurisdictional fights for power between the departments and the new war agencies... created public confusion and blurred the vision of the war effort. The subordinate who disagreed with his superior might give his side of the picture to a newspaper friend, whose code forbade him to reveal the source of his information. One hardly dared to air a confidence lest it turn up in a column."<sup>123</sup>

Essentially, Justice, War, and the presidency had become trapped by their personal preconceptions of perceived threats and established laws, which effectively narrowed their perceived choices. If Justice refused to take action, the War Department would seek the presidential power to carry out the now perceived validated claims that the Issei and Nisei were a

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<sup>122</sup> Ibid., 182.

<sup>123</sup> Ibid., 186.

threat. Yet, Justice and War were too far apart to foster a compromise. Furthermore, just as Justice was constrained by the Enemy Alien statutes, the War Department was now constrained by DeWitts involvement in the civilian affairs of the West Coast. Neither perceived a way out of their situation alone and both knew that, if they could not work out their differences, the president would eventually be forced to award so custody of the matter to one of the two departments.

To break the deadlock, Biddle wrote to Stimson personally on February 9 and again three days later, asking for clarification on what he believed was about to take place, likely hoping to insulate his Justice Department staff from the removal.<sup>124</sup> It was already too late.

Protection of civil liberties had failed to achieve dominance on the West Coast and in the conscience of the president. In a February 10 phone call with Roosevelt, Secretary of War Stimson briefly “took up with him the west coast [sic] matter first and told him the situation and fortunately found that he was very vigorous about it and told me to go ahead on the line that I had myself thought best.”<sup>125</sup> The next day, the president met with Stimson, McCloy, Gullion, and Biddle to hash out the WDC situation. The participants later recalled that the president told the War Department to plan for wholesale evacuation, specifically including citizens, but did not mention either the Issei or Nisei. They were effectively treated as objects to be moved about without further thought. Furthermore, there would be no further discussion on the matter between War and Justice, but as the group left, the president qualified his remarks to the War Department, saying, “Be as reasonable as you can.”<sup>126</sup>

Even after the meeting, there was considerable disagreement in the War Department over the scope of the removal. McCloy, like DeWitt, wanted a rapid removal, vetting and return of the

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<sup>124</sup> Ibid., 218.

<sup>125</sup> *Personal Justice Denied*, 79.

<sup>126</sup> Biddle, *In Brief Authority*, 218.

civilians, creating a set of “small islands” of restriction and return.<sup>127</sup> General Marshall remained absent from the decision making process. Stimson remained undecided. At mid-level in the chain of command, both Gullion and Bendetsen held a more extremist view. Gullion, looking at the manpower aspects, argued for a complete removal for the duration of the war. Similarly, Bendetsen, upon hearing from the Assistant Secretary that “we have *carte blanche* to do what we want to as far as the President is concerned,” began pulling together the WDC's resources to accomplish the mission without additional troops.<sup>128</sup> Finally, on February 14, 1942, DeWitt transmitted the requested report to Washington. As per instructions, he outlined a case for the removal of the Issei and Nisei from the WDC based on his ungrounded fears of a fifth column. A previously unknown FBI memorandum shows the general's motivations were now in sync with the War Department:

having learned of the president's feelings in this problem, [General DeWitt] did not want to have the War Department calling upon him to present a plan--he wanted to give them his idea before they called him on this subject matter, that is, his plan he believes is a real means--a positive step towards protection against espionage, sabotage and subversive activities. If they want to go to the extent of doing it [sic]. He said he has some 23,000 combat troops who are now on guard duty. Such a move would save thousands of combat troops, if we could get the dangerous people out of the vital areas.<sup>129</sup>

By nightfall of the next day, the War Department had painted themselves into a corner. On February 12, the nationally syndicated columnist Walter Lippman published a piece in support of West Coast, and now War Department, fears of a fifth column pervading the WDC.<sup>130</sup> The article ran in tandem with rising calls for ad hoc militias to protect California if the federal

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<sup>127</sup> Teleconference between Generals DeWitt and Gullion, February 11, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>128</sup> Ibid. Bendetsen's ability to accomplish the mass forced relocation of 120,000 individuals remained a point of personal pride until the first studies of the internment in the 1950s turned the tide of public opinion against the Army.

<sup>129</sup> FBI HQ 62-65 800, Section 2, Box 2, Hirabayashi Hearing Material, USAHEC.

<sup>130</sup> *Personal Justice Denied*, 80.

government failed to act.<sup>131</sup> “The decision was for his [the president’s] Secretary of War, not for the Attorney General, not even for J. Edgar Hoover, whose judgment as to the appropriateness of defense measures he greatly respected,” said Francis Biddle.<sup>132</sup> Stimson, if he intended to target only individuals or a select group of Issei for WDC removal, had now lost the War Department's last opportunity to stop their misguided runaway train. He could either act against the Issei and Nisei of the Western Defense Command en masse or risk riots and, in his mind, sabotage.

Within a few days, War Department and Justice policies collided, leaving one immobile at the side of the road. On February 17, after the military had decided on a mass internment of the Issei and Nisei, the War Department presented a draft of the executive order to the Attorney General's staff for reaction. Stimson, General Gullion and McCloy from the War Department met to review the order.<sup>133</sup> Biddle, Ennis and Rowe represented Justice.

The atmosphere of the meeting starkly contrasted with those between Justice and War since the war began. “Biddle, for the first time was quieter; this rather bothered us,” remembered Rowe. “And my assumption then and since is that he had got his orders from the president, that this was it, don't fight it anymore.”<sup>134</sup> Privately, Biddle heavily criticized both Lippman and the military to the president, saying, “[I]t is extremely dangerous for columnists acting as ‘arm chair strategists and Junior G-man’ to suggest that an attack on the West Coast and planned sabotage is imminent when the military authorities said that the FBI had indicated that this is not a fact.... if race riots occur, these writers will bear a heavy responsibility.”<sup>135</sup> Yet, Biddle never spoke this

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<sup>131</sup> Ibid., 81.

<sup>132</sup> Biddle, *In Brief Authority*, 219.

<sup>133</sup> There is some disagreement among the sources as to who represented the PMG at the meeting. Biddle claims Gullion and Bendetsen. Rowe claims a World War I officer lawyer named Patterson, but not Gullion or Bendetsen. Ibid Pg 219; and Rowe, Dillon Myer and James Fry, *The Japanese Evacuation Decision*, The Board of Regents of California, 1976.

<sup>134</sup> Ibid.

<sup>135</sup> Francis Biddle Memo to FDR, Regarding Relocation, February 17, 1942, Box 1, Hirabayashi Hearing Material, USAHEC.

way to his staff or the War Department representatives, appearing almost resigned to the civil rights nightmare about to be undertaken. “There is an alternative possibility,” said one Justice representative. “This had been a nasty three months. We were all kicked around, and Biddle wasn't going to move the Japanese, but if the Army did, it was off his conscience. So I don't know which story is true.”<sup>136</sup> According to Rowe, Biddle “did defer to Stimson, as most of us did. But Ed Ennis went right after the great Stimson that morning. It was the last of the business, and I remember, you know, thinking 'Fine, Ed, argue with Stimson.' Stimson looked down his nose and said, 'Mr. Ennis, we've got to assume in this room that we're all men of goodwill.'[sic]”<sup>137</sup>

On February 19, President Franklin Roosevelt signed Executive Order 9066. It read:

Executive Order No. 9066  
The President  
Executive Order  
Authorizing the Secretary of War to Prescribe Military Areas

Whereas the successful prosecution of the war requires every possible protection against espionage and against sabotage to national-defense material, national-defense premises, and national-defense utilities as defined in Section 4, Act of April 20, 1918, 40 Stat. 533, as amended by the Act of November 30, 1940, 54 Stat. 1220, and the Act of August 21, 1941, 55 Stat. 655 (U.S.C., Title 50, Sec. 104);

Now, therefore, by virtue of the authority vested in me as President of the United States, and Commander in Chief of the Army and Navy, I hereby authorize and direct the Secretary of War, and the Military Commanders whom he may from time to time designate, whenever he or any designated Commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded there from, such transportation,

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<sup>136</sup> Rowe Committee Testimony Transcript, Internment Commission Files, Box 118, James Rowe Papers, Truman Library.

<sup>137</sup> Rowe, Dillon Myer and James Fry, The Japanese Evacuation Decision, The Board of Regents of California, 1976.

food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said Military Commander, and until other arrangements are made, to accomplish the purpose of this order. The designation of military areas in any region or locality shall supersede designations of prohibited and restricted areas by the Attorney General under the Proclamations of December 7 and 8, 1941, and shall supersede the responsibility and authority of the Attorney General under the said Proclamations in respect of such prohibited and restricted areas.

I hereby further authorize and direct the Secretary of War and the said Military Commanders to take such other steps as he or the appropriate Military Commander may deem advisable to enforce compliance with the restrictions applicable to each Military area hereinabove authorized to be designated, including the use of Federal troops and other Federal Agencies, with authority to accept assistance of state and local agencies.

I hereby further authorize and direct all Executive Departments, independent establishments and other Federal Agencies, to assist the Secretary of War or the said Military Commanders in carrying out this Executive Order, including the furnishing of medical aid, hospitalization, food, clothing, transportation, use of land, shelter, and other supplies, equipment, utilities, facilities, and services.

This order shall not be construed as modifying or limiting in any way the authority heretofore granted under Executive Order No. 8972, dated December 12, 1941, nor shall it be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, with respect to the investigation of alleged acts of sabotage or the duty and responsibility of the Attorney General and the Department of Justice under the Proclamations of December 7 and 8, 1941, prescribing regulations for the conduct and control of alien enemies, except as such duty and responsibility is superseded by the designation of military areas hereunder.

Franklin D. Roosevelt  
The White House,  
February 19, 1942<sup>138</sup>

The civilian leadership's failure to create a policy, like every other benchmark in the crafting of the internment, created one final disconnect between the issuers and the executors of the order. Stimson and McCloy believed the WDC was in imminent danger of attack. They believed, against reason and aided by a racist California, that there was a domestic component to that threat. On both counts, they were wrong. As previously demonstrated, they, like DeWitt

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<sup>138</sup> Executive Order 9066: Resulting in the Relocation of Japanese, 1942, U.S. National Archives & Records Administration, Internet Link: <http://www.ourdocuments.gov/doc.php?doc=74&page=transcript> Accessed 1/1/2013



earlier in the self-created crisis, were also unconvinced that a mass evacuation was needed, but they were also unwilling to take the chance they were wrong. Instead of looking deeper into the situation or answering DeWitt's initial call for reserve forces, the civilian component of the War Department simply treated the matter as a battlefield order. They rendered their judgment, passed on their directives based on their in-hand information, and left the logistics to be managed by individuals who could execute the plan: Gullion, Bendetsen, and the army's rising number of troops being trained in California.

The fallout from the conflict and the resulting victory by the army determined the shape of the internment policy. Stimson rapidly delegated the authority of the Executive Order (EO) to General DeWitt, who, in turn, delegated the power to Bendetsen, thus removing himself from the situation. The Navy, still autonomous from the WDC, decided to follow a parallel course of action, which included the eviction of alien residents of first, Terminal Island, and, then, Bainbridge Island, both within their autonomous maritime zone of command.<sup>139</sup> On March 21, 1942, by the time Bendetsen had decided that it was just as simple to remove all Issei and Nisei, Congress had approved the EO in Public Law 509. It provided "the penalty for violations a restriction or orders with respect persons entering remaining leaving or committing any act of military areas of zones. A person found guilty of violations was liable to a fine not to exceed \$5000 or imprisonment for not more than one year or both for each offense."<sup>140</sup>

It seemed the military had made one last mistake in the debate over their internment policy. The War Department had thrown all their resources into the fight for the power to neutralize General John DeWitt's phantom threat, but the civilian leaders, Stimson and McCloy,

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<sup>139</sup> Transcript of Telephone Conversation between DeWitt and General Gullion, Provost Marshal General, Washington, February 5, 1942, - .4 AG Files, Box 14, RG 499 Records of the U.S. Army Defense Commands, NARA.

<sup>140</sup> The History of the Western Defense Command Volume 1, Appendix, USAHEC.

had created an actual policy through which they would exercise the president's discretion. As a result, the War Department's failure to make a decision had, in effect, once again made the decision for the nation to intern every individual of Japanese ancestry residing in the Western Defense Command.

Instead of limiting the potential damage by sending troops to battle DeWitt's and the West Coast civilians insecurities, the War Department had given phantom legitimacy to their fears by treating the wrongful and imagined threats as credible. As Justice had refused to embrace the folly, they and the West Coast's residents of Japanese ancestry were repositioned by the now fear driven Office of the Secretary of War and the opportunists in California and within the General Staff. With the fears of a phantom army on the move now given form by their civilian superiors, the General Staff's PMG then promptly shaped the military's response to the civilian subject matter within the narrow prevue of their office, military law. General DeWitt had never advocated a mass internment, but he had long argued, like Biddle, that the Issei and Nisei were not his responsibility. Hence, Bendetsen became the agent of DeWitt's fears and the War Department's will in executing the president's order to intern the WDC's populace of Issei and Nisei. It would be years before any of the parties realized that the phantom army of the Japanese empire had never existed and, worse, that they, themselves, had succumbed to an even more treacherous enemy, blind fear.

## Chapter Seven: The Straitjacket

U.S. policy to resolve the fictitious threat of espionage and sabotage on the West Coast solidified around the decision to intern the region's Issei and Nisei. While the mass evacuation had long been sought by a growing majority on the West Coast, the Army had taken few steps to plan for this eventuality. Moreover, Roosevelt's Executive Order (E.O.) 9066, in direct contravention of peacetime civil liberties and the initial plans of the Western Defense Commander, made civilian agencies of the federal government responsible for the internment. General John L. DeWitt and the Executive Branch hastily formulated a plan to deal with their insecurity over the alleged fifth column. This plan reflected both the conditions that led to the E.O. and the continued lack of desire by the federal government to take holistic ownership of the self-created problem, leaving, once again, the Issei and Nisei at the mercy of a fear-driven bureaucracy. For everyone concerned, by March, 1942, the accumulated policies, poor decisions, racist temperament, and administrative missteps of recent memory had become a straitjacket which bound everyone involved in the WDC mess.

While elements of the War Department and now-Colonel Karl Bendetsen had been working towards a mass evacuation, the Western Defense Command was not prepared for Stimson's order to remove the zone's approximately 110,000 residents of Japanese ancestry. At one point in the weeks leading up to EO 9066, DeWitt had claimed that he would need only the 23,000 men training in the region to carryout a select evacuation of the WDC's estimated 20,000 Enemy Alien populace in California.<sup>1</sup> DeWitt, however, had not been apprised of either the War

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<sup>1</sup> Transcript of Conversation between Assistant Secretary John McCloy and General John DeWitt, February 3, 1942, 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the U.S. Army Defense Commands, NARA. The final estimate, however, totaled 110,442 individuals evacuated by the WCCA. Karl Bendetsen later estimated 18,026 of these individuals were relocated directly from their homes. "An Obligation Discharged: The Army Transfers to War relocation Authority, a Civilian

Department's newfound urgency to deal with the WDC's perceived deficiencies or the PMG's comprehensive plan to remove both American citizens and the designated resident aliens prior to the issuing of the EO.

General John DeWitt intended to resolve his self-created problem in two ways. First, in his now heavily invested relationship with the militarized civilian populace, DeWitt began coordinating with local, city, and state level government agencies to plan the areas to be recommended for Enemy Alien restriction by forthcoming military or Justice Department decrees.<sup>2</sup> Second, DeWitt lobbied for either an agreement with the Attorney General or the Justice Department or, failing both, authorization from Congress to incarcerate restriction violators. Instead, on March 21, 1942, Congress enacted Public Law 503, providing for “penalty for violations on restriction or orders with respect to persons entering, remaining, leaving, or committing any act in military areas of zones. A person found guilty of violations was liable to a fine not to exceed \$5,000 or imprisonment for not more than one year or both for each offense.”<sup>3</sup> Still, there were not enough troops under his command to move a few thousand alleged fifth columnists from the military-gear industrial centers.

In light of this continued WDC anemia, the EO became a policy nightmare for DeWitt. He still lacked the authority to use troops outside of his immediate command for an operation estimated to require several weeks or months. Yet, DeWitt had now been ordered to follow

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Organization, Japanese Evacuated from the Pacific Coast,” Address by Colonel Karl Bendetsen, GSC, November 3, 1942, War Relocation Authority, 1942.

<sup>2</sup> Telephone Conversation between General John DeWitt, General Allen Gullion, Provost Marshal General, Washington, Major Karl Bendetsen, January 26, 1940 2:01 PM, Box 2, Hirabayashi Hearing Material, USAHEC.; Transcript of a Telephone Conversation between General DeWitt and General Allen Gullion, Washington, February 5, 1942., Folder 384.4 AG Records, Box 15, RG 499 Records of the U.S. Army Defense Commands, NARA. In the end, DeWitt did gain assistance with delineation of the restricted areas from Justice Department representative and future Supreme Court Justice Tom Clark.

<sup>3</sup> Public Law 503 - March 21, 1942, Document 00104, Page 001, The Internment Archives, Internet Link: [http://www.internmentarchives.com/showdoc.php?docid=00104&search\\_id=9609](http://www.internmentarchives.com/showdoc.php?docid=00104&search_id=9609), Accessed April 23, 2012; Biddle, however, never implemented the law.

Washington's lead to "provide for the relocation and resettlement, and to the extent indicated herein, the evacuation." He frequently expressed his frustrations to his staff over the devolution of his request into the present federal policy. Without his requested resources, DeWitt was blinded to any other alternative to his self-inflicted policy straightjacket, the purported fifth column menace.<sup>4</sup> He could not suborn the civilian federal agencies to this cause. The city and state level civilian authorities who pressed for the forced removal of the Issei and Nisei also lacked the manpower. DeWitt and the War Department could see no other choice than to simply give in to racist-led momentum building towards internment and get out of the way.

Likewise, Biddle also strongly cautioned against even the supplemental use of the regional law enforcement for fear the police might either fail to stop or actually lead mob violence against the Issei and Nisei. Yet, Justice had also given in to the inertia and accepted the internment policy as a choice of evils. In an advisory letter to Assistant Secretary John McCloy, Biddle explained that the police had requested the Justice Department's files on West Coast resident aliens, saying:

These requests were denied at the time because definite indications were available of the disposition to adopt local repressive measures rather than to cooperate with the uniform federal program....When local police are given these names for this limited purpose, they show disposition to set up a complete permanent system of alien enemy files to be used as a basis for their own activities in respect of alien enemies. This...we are watching very closely."<sup>5</sup>

The Provost Marshal General's office also did not consider either the legal ramifications or the logistics of forced removal. At the onset of the war, they became the custodial authority

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<sup>4</sup> Telephone Conversation between General John DeWitt and Colonel Karl Bendetsen, March 18, 1942, 10:10am, Folder 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the U.S. Army Defense Commands, NARA.

<sup>5</sup> Francis Biddle to John McCloy, April 17, 1942, Folder ASW 014.311 General Correspondence (Dec4, 1941-April 30, 1942), Formerly-Security Classified Correspondence of John McCloy, 1941-1945, Assistant Secretary of War, Box 1, RG 107 Office of the Secretary of War, Assistant Secretary of War, NARA.

for 12,071 individuals. "Of this number," said Biddle at the end of 1942, "3,567 were released by the US attorney after preliminary examination. Of the 7,627 whose cases have been disposed of by alien enemy hearing board, 3,646 have been ordered interned for the duration of the war ...2,933 have been placed on parole and 1,048 have been released outright. 361 cases have been handled through diplomatic and other channels and 516 still are awaiting hearings. Of those interned, 1,974 were Japanese, 1448 were Germans, 210 were Italians and the 14 remaining were spread across several other nationalities."<sup>6</sup> The intelligence services claimed, but the Justice Department could not prove, resident aliens were a danger to American national security.<sup>7</sup> As per prewar plans, these internees were housed and placed under heavy guard by the army at American military bases scattered throughout the country.<sup>8</sup> The PMG, subsequently, also encountered considerable problems housing both the internees, and preparing for the Axis military prisoners who would be transferred from British custody as well as those individuals the American army expected to capture in the invasion of North Africa.<sup>9</sup> They intended to convince the British to house most of the prisoners, with the PMG assisting with logistics.<sup>10</sup> The PMG grossly underestimated both the number of prisoners and Britain's willingness to house Axis soldiers in England. Consequently, the PMG relaxed their strict security procedures and spread their military police over nearly one hundred hastily erected prisoner-of-war camps inside the United States. The PMG had originally intended to mitigate these problems by deploying a modest force and detaining small groups of individuals at military camps such as Fort Lewis. Hence, the PMG balked at Stimson's order for an immediate, mass evacuation. So, by the end of

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<sup>6</sup> Ibid.

<sup>7</sup> Attorney General Francis Biddle Press Release, Sunday, Dec 6, 1942, Folder Saboteurs, Box 3, Francis Biddle Papers, FDRPL.

<sup>8</sup> "Plans for the Internment of 'Dangerous Japanese Aliens' Already Have Been Devised, Biddle Disclosed," Los Angeles Times, November 8, 1941.

<sup>9</sup> Arnold Kramer, *Nazi Prisoners of War in America*, (New York: Stein and Day, 1979), 3-5 and 14-15

<sup>10</sup> Ibid.

February, 1942, they too had nearly entirely deserted the WDC for fear of being drawn into the growing quagmire they had helped create.

General George Marshall, likewise, feared the potential disaster in military resources. In a memorandum to the Assistant Secretary of War, he said:

As for General DeWitt's problem, his primary mission is the defense of the Pacific coastal area from hostile attack. To do this, he must have the entire coast under observation, coastline thinly defended, and hold the mass of his troops mobile, prepare to concentrate in any area that is threatened. He is also charged with the protection of many military and civilian installations. He is now in charge of the evacuation of aliens from critical areas in their subsequent internment. Furthermore, he must see to it that all troops receive some train, which necessitates that they be rotated periodically among the posts mentioned above. In all, he now has 141,000 men; of these, 23,000 are now engaged in guard duty. They are dispersed throughout the entire coast, they receive little combat training, and would be of doubtful value in the case of a determined attack. There are also approximately 23,000 state guard engaged in the same work. We have evidently reached a limit beyond which we should not go in providing protection of this character.<sup>11</sup>

In their rush to resolve the self-made crisis, the War Department also failed to consider how they might identify, transport, supply or provision such large groups of civilians. In fact, providing food and amenities to the evacuees waiting days or weeks at the Assembly Centers often fell to the grass-roots efforts of non-Japanese volunteers and non-profit charities.<sup>12</sup> Although the EO allowed for the removal of individuals, Roosevelt's order also fell short of granting the authority for martial law requested by WDC.<sup>13</sup> As a result, DeWitt focused on only the narrowest meaning of internment, the supplying of material for the Bendetsen's act of removal.

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<sup>11</sup> Memorandum from General George C. Marshall to John McCloy, February 24, 1942 Folder ASW004.003Shipping, Box 4, Formerly-Security Classified Correspondence of John McCloy, 1941-1945, Assistant Secretary of War, Box 1, Record Group 107 Office of the Secretary of War, Assistant Secretary of War, NARA.

<sup>12</sup> M.R. Zigler and Dan Durnbaugh, *To Serve the Present Age: The Brethren Service Story*, (Elgin: Brethren Press, 1975), 124.

<sup>13</sup> Conversation between General John DeWitt and Colonel Karl Bendetsen February 7, 1942, Folder 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the United States Defense Commands, NARA

The United States Navy's recent evacuation of all Issei and Nisei from Bainbridge Island and then Terminal Island exposed serious logistical challenges for the Army's imminent mass evacuation. DeWitt's orders for the removal were given to him suddenly. The threat of force compelled compliance, which also tended to incite support for violence in the non-Japanese communities. Also, no thought was given by the military managers of the removal to where removed individuals might safely be held. Some, the Army knew, would have to be relocated again once DeWitt's proclamations about restricted access areas were issued.<sup>14</sup>

"The big push--that's what I've got to resist," said DeWitt in phone conversation with Colonel Meredith, the Chief of Staff of Ninth Corps now in Utah. "The Navy, the other day, order the residents all off Terminal Island--3000 of them. They just told them to leave. They had no place to go and they were putting them in churches and schoolhouses. I won't let a thing like that happen; I'm not going to move them until I can put them somewhere where they can be taken care of, unless they can take care of themselves. ...Too much hardship on these people, the poor devils."<sup>15</sup>

There would also be a political and social toll for the involved civilian and military leaders. For example, upon hearing of the botched Terminal Island evacuation, Eleanor Roosevelt took an interest in the Army's evacuation plans. She repeatedly expressed her displeasure about the pending removal with several administration officials and would continue to lobby for the redress of the Issei and Nisei cases in the coming years. On March 26, 1942,

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<sup>14</sup> Telephone Conversation between General John DeWitt and General Allen Gullion, Provost Marshal General, Washington, February 5, 1942, Folder 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the United States Army Defense Commands, NARA. In the conversation, the two mentioned that the commandant of the 13th District had reported to the Chief of Naval Operations, discussing the evacuation of Bainbridge Island. The document lists ninety-one Issei, five Germans and zero Italians on the island as well as one hundred and eighty Nisei in fifty-five families. Ibid.

<sup>15</sup> Telephone Conversation between General John DeWitt and Colonel Meredith, Chief of Staff, Ninth Corps area, Fort Douglas, Utah, March 14, 1942, 9:30 AM, Folder 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the United States Army Defense Commands, NARA.



Assistant Secretary John McCloy wrote in reply to a letter of hers, "The [T]erminal [I]sland evacuation was effected by the Navy before any organization was really set up to deal with the evacuees. The Army progress for the evacuation of the Japanese only West Coast is attuned on a more gradual basis, with a definite idea in mind that no evacuation would be ordered until places have been set up to which the evacuees can go." McCloy also attempted to allay the First Lady's fears for her affected friends, saying that once plans were finalized "arrangements were made and are being made for the protection of property values of the evacuees so as far as possible and generally the thing is being done on a humane and well-organized basis for the complexity and nature of the problem permit."<sup>16</sup> Still, given the depth, breadth and historical longevity of the racial hatred against the Issei and Nisei on the West Coast, there was little that could be done, but try to pick up the pieces.

Next, the Army needed to be concerned with the almost syncopated reaction of those who advocated a permanent removal of the Issei and Nisei. Although Governor Culbert Olson had failed to gain support for removal in the aftermath of Pearl Harbor, his supporters had substantially grown over the following months. At the state and local level, "personal desires, interpersonal animosities, the self-conception of one's role and its importance" grew from the rallying cry of "the lawless vigilantes or by excited local officials," to now include the farmers and businessmen who felt threatened by Issei and Nisei growing business prowess.<sup>17</sup> As long as resident aliens and their children were serf-like labor, the groups he charted, which included the reinvigorated Native Sons of the Golden West and the Oriental Exclusion League of California,

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<sup>16</sup> Letter from John McCloy to Eleanor Roosevelt March 26, 1942, Folder ASW 014.311 General Correspondence (December 4, 1941-April 30, 1942), Formerly-Security Classified Correspondence of John McCloy, 1941-1945, Assistant Secretary of War, Box 1, Record Group 107 Office of the Secretary of War and Assistant Secretary of War, NARA.

<sup>17</sup> Grodzins, *Americans Betrayed*, vii, 2, and 9-10.

remained anemic.<sup>18</sup> With the war and the fears of enemy attack, by 1942 the groups were slowly flocking to Olsen's banner, hoping to remove the competition. Similarly, Olsen's soon to be declared rival in the next gubernatorial election, Earl Warren, had also garnered supporters by having seemingly won over the federal government to take responsibility for the race-based removal without incurring any expense to the taxpayer.<sup>19</sup> Likewise, he had won support from the urban workers for allegedly saving them from an imagined threat of economic loss, which would result from a feared Issei or Nisei sabotage campaign. Although public fears over potential acts of sabotage and espionage could have been levied against the West Coast's German, German-American, Italian, and Italian American populace as well, the historic West Coast anti-Asian antipathy drove reason and rationality from the political calculations being made. Furthermore, during the California Attorney General's re-election bid, Warren's rhetoric supported the military's evacuation endeavor, mirroring both DeWitt's fears and the preceding internal Justice and War Department debates. For example, in a June 4, 1942 lecture "Rule in Time of War" before the Stanford Law Society, Warren articulated the point:

The present state of total war provides the fullest reason for the exercise of martial rule, that is, the duty and the power of the nation to preserve itself. Martial law is the public right of self-defense against any act or threatened danger. It is nothing more than application the common law doctrines of force to whatever degree necessary may be used for press illegal force. In California a large section of our coastal area, hundred miles wide extending from north to south and along the Mexican border, has been designated by the Army as a combat zone. The remaining areas of our state are a part of the army's Western theater of operations. The Army tells us that many planes have flown over Los Angeles and were met with anti-aircraft fire. Enemy submarines have invaded our territorial waters, have sunk and fired upon American ships within site of our coast, and have shelled objectives on the coast. Japanese planes have twice raided Alaska, possibly as a curtain raiser to an act on our own Pacific coast. Therefore, we have been invaded

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<sup>18</sup> Ibid., 8-10.

<sup>19</sup> "Warren Wraps Olson Emergency Orders," San Francisco News, December 18, 1941, p. 1.

and we stand in imminent danger of the renewal of that invasion upon a much greater scale. It may well be said that California is a theater of war.<sup>20</sup>

Warren's speech serves as a final exemplar in the fusion of West Coast racial hatred and the results of DeWitt's phantom army fears-turned-into-federal policy. The state Attorney General inferred the untrustworthy nature of the Issei and Nisei as isolated individuals who were linked in some unspecified way to the Japanese empire. He never mentioned the policies which led to either their isolation or the forces, which caused their local, state, and federal ostracizing irregardless of citizenship. Likewise, he never considered their rights to residency, property, and protection. Instead, he contextualized their existence within the confines of limited long term tolerance, which because of the war, now necessitated more drastic actions. Similarly, instead of pointing to the deficiencies in either the WDC or his own police force, Warren pointed to the military as the source of their deliverance from the nebulous crisis. Ironically, the attorney general also cast himself in a similarly powerless light, asserting that military law and not his own civilian law was required to ensure domestic tranquility. As a result, this slight-of-hand policy legitimized for many West Coast civilians what had long been considered a dirty open secret, the region's antipathy for Asian immigrants and their families.

Moreover, many of Olson's and Warren's supporters took their anti-Japanese sentiments to the streets in acts of violence, as Biddle had feared. Antipathy for the West Coast Issei and Nisei peaked on February 24, 1942, in the aftermath of yet another submarine attack. During the president's radio address, a Japanese submarine surfaced off Goletta, California. It fired twenty-five shells at an oil installation before escaping. There were no casualties, and damage incurred by the facility was negligible. Moreover, twenty percent of the Japanese rounds fired in the

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<sup>20</sup> Earl Warren, Attorney General, State of California, Syllabus of lecture, Practicing Law Series, Stanford Law Society, Commercial Club, June 4, 1942, Box 1, Lyle Cook Papers, USAHEC.

attack were duds.<sup>21</sup> But in the heightened climate, the psychological damage was considerable, feeding the military's fears of an active fifth column. Although the military specifics of the attack were not reported in the newspapers, the attack took place at a site that had the previous day been guarded by a mobile artillery piece. The piece had just been redeployed the morning of the attack, leading the senior officers erroneously to conclude that a fifth columnist had been watching and had communicated the site's sudden defenselessness to the Japanese forces. It is more likely, however, that the submarine had been scanning the coast for exposed positions and found Goleta ripe for an attack.<sup>22</sup> In the aftermath of the shelling, Japanese businesses were vandalized by roaming mobs of vigilantes. Some Issei and Nisei were dragged from their cars by mobs of angry passersby.<sup>23</sup> Mobs shot some Japanese residents dead in the streets.<sup>24</sup> Still others lobbied the War Department and the White House to create a unit of West Coast volunteers for the purpose of "fighting off enemy commandos, planes and fifth columnists attacking means of communication, plants for war production, power, lighting, water supply, and the like."<sup>25</sup> Eventually, as the internment began, angry crowds gathered around several of the Assembly Centers, forcing the military to stand between the mobs and the evacuees.<sup>26</sup>

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<sup>21</sup> The History of the Western Defense Command, Volume 4, Appendix, USAHEC.

<sup>22</sup> Ibid.

<sup>23</sup> The History of the Western Defense Command, Volume 4, Official Announcement Concerning Foreign Relations, 1942, 52, USAHEC.

<sup>24</sup> "Japanese Slain by Mystery Gunman," San Francisco Examiner, February 2, 1942, p. 1.

<sup>25</sup> "A Proposal Submitted by the Commonwealth Club Regarding the Disjunction of Military Command in Total War in the Pacific States," Stamped Received April 28, 1942, Aliens Folder, Box 1, Formerly Top Secret Correspondence of Secretary of War Stimson, July 1940-September, 1945, RG 107, Office of the Secretary of War-Stimson Papers, NARA. As can be seen in published records of their meetings, this group was also a key supporter of Karl Bendetsen's views on the Issei and Nisei as well as his later management of the internment. Colonel Karl Bendetsen, GSC, "An Obligation Discharged: The Army Transfers to War Relocation Authority, a Civilian Organization, Japanese Evacuated from the Pacific Coast" Speech before the Commonwealth Club, November 3, 1942 Reel 24, Box 26, Numerical File 1, United States Commission on Wartime Relocation and Internment of Civilians.

<sup>26</sup> Ziegler and Durnbaugh, *To Serve the Present Age*, 128.

Upon hearing Governor Culbert Olson's revised plans for the Issei and Nisei to work the harvest before being removed, the Secretary of War expressed to FDR his own fears over attempts to "make trouble with the Japanese." He said:

In the beginning of this...the Californians were hell-bent for rushing these unfortunate Japanese out of the state anywhere provided it was not California, and the Army had considerable difficulty in seeing that great injury and injustice was not done under pressure of that feeling. Now Gov. Olson has discovered that the harvesting season is coming for some of the Californian fruits and that it may be profitable for Californians to keep the Japanese held up in these assembly camps to be used cheaply on this harvesting. I do not think that he should be allowed to blow first hot and cold without any references to the safety or welfare of these unfortunate people or the permanent settlement of a great national problem [sic]."<sup>27</sup>

Likely in response to both West Coast civilian pressure for and the dissension within the federal government about the removal, between late February and late March, the Roosevelt Administration split the responsibility for the mass evacuation between military and civilian agencies. Bendetsen described the changes occurring at the White House to General DeWitt, saying, "The president's idea is a compromise between the separate agency plan and the civilian staff idea. He wants a civilian staff, the organization of which you have initiated, to continue until the more permanent organization can be created. The more permanent organization would take over the whole resettlement job. [It] would be conceived so as to relieve the Army of as much of the burden as possible."<sup>28</sup> In the so-called "Military Phase,"<sup>29</sup> which began on February

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<sup>27</sup> Letter from Henry Stimson to Franklin Roosevelt, July 7, 1942, Folder Aliens, Box 1 Formerly Top-Secret Correspondence, Secretary of War Stimson, July 1940-September 1945, RG 107, Office of the Secretary of War Stimson Papers, NARA.

<sup>28</sup> Memorandum for General John DeWitt from Colonel Karl Bendetsen, Subject: Report of Recent Developments in Washington Regarding Evacuation Program. March 9, 1942, 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the United States Army Defense Commands, NARA.

<sup>29</sup> Bendetsen, "An Obligation Discharged,"; Memorandum for General John DeWitt from Colonel Karl Bendetsen, Subject: Report of Recent Developments in Washington Regarding Evacuation Program. March 9, 1942, 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the United States Army Defense Commands (World War II), NARA.

19 with the issue of EO 9066, United States Army elements in the WDC were authorized by the War Department to collect evacuees for transport to the Assembly Centers and Relocation Centers and to guard the Relocation Centers for the duration of the war. At the onset of operations, General DeWitt summarily removed himself from the process, delegating “the entire evacuation task” officially to Karl Bendetsen in a likely attempt to remove the WDC structure from the process. War Department and the General Staff records appear to have intended this arrangement by having previously placed Bendetsen to operate in parallel with the West Coast army command structure on the Enemy Alien security issue. Moreover, after the ordered written validation by DeWitt claiming that the internment was deemed necessary, the War Department appears to have consistently bypassed the WDC commander in all of their correspondence regarding the actual removal and internment. Shortly thereafter, the War Department appointed Karl Bendetsen DeWitt's Assistant Chief of Staff to manage the internment through a temporary sub-department generated within the WDC, the Wartime Civil Control Authority (WCCA). According to Bendetsen, DeWitt enumerated Bendetsen's WCCA responsibilities on February 1 prior to the War Department’s order:

All rules and regulations of the Fourth Army over which I have any control or authority, you have authority to suspend, as in your judgment may be necessary. You will take this action forthrightly, you will establish a separate headquarters, you will have full authority to call upon all Federal civilian agencies as provided in the Executive Order and to call for assistance and cooperation of the State authorities as the President has in turn asked the Governors of the states concerned to provide. You will do this with a minimum disruption of the logistics of military training, operations and preparedness, and with a minimum of military personnel, and with due regard for the protection, education, health and welfare of all of the Japanese persons concerned. You will, to the maximum, take measures to induce them to relocate voluntarily under your authority, in areas east of the Cascades, Sierra Nevada, and north of the southern half of Arizona and New Mexico, so that the burden upon them will be at a minimum. You will make known that the Army has no wish to retain them at any time for more than temporary custody. It would be contrary to the philosophy and desires of the Army to do otherwise. These measures are for the protection of the nation in a cruel and bitter war, and for the protection of the

Japanese people themselves. You will use all measures to protect the personal property of Japanese, including crops [sic].<sup>30</sup>

The Civilian Phase, which began in near parallel with the March 18, 1942 Executive Order 9102, comprised the activities of the War Relocation Authority (WRA) to oversee the personal needs of 110,000 evacuees inside the Assembly Centers and the relocation centers until they either departed for another Defense Zone or returned to the West Coast after the lifting of the restrictions. Decades later some friction still existed between civilians and the military over their duties during the internment. For example, in an oral history interview, Karl Bendetsen claimed that the WRA “performed no duties whatever until the evacuation phase had been completed and the persons of Japanese ancestry who still then remained in custody had been placed in ten Relocation Centers established by the Army inland to hold the evacuees until they could be absorbed into the economies of inland states. Only when all of them had been placed there, after the Relocation Centers had been staffed and manned in all respects, did the War Relocation Authority take over any operating functions of any kind. ... it seriously mishandled its assignment.”<sup>31</sup>

While the military had yet to begin mobilizing for the evacuation, there was a historical example of an Army policy straight-jacket, and it likely shaped their Military Phase actions. First, prior to the Treaty of New Echota (which ceded Cherokee nation lands on the east coast in exchange for territory on the western plains) in December 1835, the Army regional commander, Brigadier General John Wool, set cavalry patrols around the Cherokee boundaries to shield the Cherokee from the raiders based in Georgia and South Carolina, which had long been attempting

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<sup>30</sup> Oral History Interview with Karl R. Bendetsen, General Counsel, Department of the Army, 1949; Assistant Secretary of the Army, 1950-52; Under Secretary of the Army, 1952, New York City, New York, Interviewed by Jerry N. Hess, October 24, 1972, Pgs. 62-78, Truman Library Oral History Project, Truman Library, Internet Link: <http://www.trumanlibrary.org/oralhist/bendet.htm>, Accessed April 23, 2012.

<sup>31</sup> Ibid., 65-66.

to kill or run off the populace from their gold-rich sovereign land.<sup>32</sup> When the president ordered the Army to remove the Cherokee in response to the Supreme Court's *Worcester v. Georgia* decision,<sup>33</sup> Wool and the newly arrived General Winfield Scott dispatched individual messengers to every Cherokee settlement to deliver their superior's timetable for removal in as non-threatening a way as possible.<sup>34</sup> When some Cherokee resisted leaving either westward for new land or eastward for incorporation into the Eastern Band of North Carolina Cherokee, the Army sought out civilians with personal relationships among the Cherokee to act as intermediaries, again to defuse tensions.<sup>35</sup> The Cherokee gathered on their own at the rallying points, where the Army grouped them for transit. The Cherokee removal had been years in the planning and months in the provisioning. The Army orchestrated it under peacetime conditions. Yet, it ended in a disaster known as the Trail of Tears, with hundreds dying from disease, malnutrition, and a severely harsh winter.<sup>36</sup>

No copy of the Western Defense Command's evacuation plan has survived, but the response to EO 9066 mirrored concurrent plans in development for the mass evacuation of the West Coast in the event of invasion. In the event of attack, the majority of the Army would hold back the advancing enemy at the beachhead. During the holding action, a smaller force would commandeer every car, truck, and bus in the area to evacuate the civilian populace to designated

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<sup>32</sup> Mattie Russell William Holland Thomas, *White Chief of the North Carolina Cherokee*. Doctoral Thesis. (Duke University. 1956), 56; *Cherokee Indians: Memorial of a Delegation of the Cherokee Tribe of Indians*. 22nd Congress, 1st Session. Doc. No. 45. House of Representatives. January 9, 1832.

<sup>33</sup> 1831, *Cherokee Nation v. Georgia*, 30 U.S. 1; *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832).

<sup>34</sup> Winfield Scott. *Memoirs of Lieutenant-General Scott, LL.D. In Two Volumes*, (New York: Sheldon & Co. 1864) 319.

<sup>35</sup> WTP 023 Letter from William Holland Thomas to Major General Winfield Scott. March 9, 1846, and CH064 General Winfield Scott Memorandum. Headquarters, Eastern Division. Athens, Tennessee. November 9, 1838, William Thomas Papers, Galileo Project, Digital Library of Georgia, Internet Link: <http://dlg.galileo.usg.edu/cgi-bin/meta.cgi?userid=public&db=meta&ini=meta.ini&action=query&numrecs=10&index=cr&term=%22Thomas%2C%20William%20Holland%2C%201805-1893%22&h1=h1&h2=h2&format=dlg&Welcome>, Accessed August 10, 2003.

<sup>36</sup> Sally Isaacs, *The Trail of Tears*, (Chicago: Heinemann Library, 2004), 24.



rallying centers, where they would await the defeat of the invaders. If the enemy could not be held, the civilians were to leave the combat zone by train.<sup>37</sup>

The White House also provided the WDC's Wartime Civil Control Authority (WCCA) with strict guidelines for the conduct of the Military Phase. According to Bendetsen, Franklin D. Roosevelt was "most concerned about the political repercussions which may result from the mass movement of Japanese from the Pacific coast to interior communities. He is afraid that some rather serious incidents may arise unless this is handled with great caution. He, therefore, believes that the idea of establishing reception areas merely for the reception, processing and temporary shelter Japanese is the best plan [sic]."<sup>38</sup>

Under WCCA, sites for twenty-four Assembly Centers were researched by Bendetsen's subordinates, confiscated by the Army, and designated by the WCCA as rallying points for area evacuees throughout the Western Defense Command. As DeWitt had banned in December all large public gatherings (for fear of presenting large civilian targets to the enemy), Bendetsen was rapidly able to find several large outdoor facilities, such as the Santa Anita racetrack, where large groups could congregate but remain surrounded by the United States Army.<sup>39</sup>

"The families were not separated," remembered Bendetsen. "We made special arrangements aboard the trains for their protection and for their reasonable comfort and health. Step by step, we evacuated people from designated evacuation zones into assembly centers--24 of them--which were equipped to house them. And we managed this first phase in 90 days."<sup>40</sup>

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<sup>37</sup> "The State of California Basic Plan for Evacuation and Disaster Relief," Undated Department of Public Works, 1942-1943 Files, California State Archives.

<sup>38</sup> Memorandum for General John DeWitt from Colonel Karl Bendetsen, Subject: Report of Recent Developments in Washington Regarding Evacuation Program. March 9, 1942, 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, Record Group 499 Records of the United States Army Defense Commands, NARA.

<sup>39</sup> "Army Asks Ban On Racing; SF Adopts Air Raid Ordinance," San Francisco Chronicle, December 15, 1941, Front Page; Oral History Interview with Karl R. Bendetsen, 78-80.

<sup>40</sup> Ibid.

The WDC searched for additional sites further in the nation's interior to serve as Relocation Centers. Although Bendetsen later claimed these sites and the managerial methods employed to administer them were his.<sup>41</sup> DeWitt had been looking for sites early in the crisis. His attempts had met with heavy rebukes from leaders in several states (including Utah and Kansas), who feared the military was about to cause their states new war problems. Some complained of a lack of jobs, food, and housing for the new arrivals. Others were as anti-Asian as Olson. Still others feared an outbreak of fifth column activities.<sup>42</sup> Consequently, DeWitt reoriented his focus on the interior of the Western Defense Command for resettlement areas, including Imperial Valley in California and Topaz in nearby Utah.<sup>43</sup> General DeWitt had also speculated about using the established Civilian Conservation Corps camps throughout the country to house the then limited number of potential evacuees.<sup>44</sup> Bendetsen later expanded on the selected sites to build ten relocation centers. "We built the relocation centers," remembered Bendetsen, "and furnished them with residential equipment, bedding, beds, dressers, tables, chairs, schoolrooms and teaching equipment as well as infirmaries."<sup>45</sup>

Bendetsen's recollections, however, were faulty. The residential equipment to which Bendetsen alluded consisted of single blankets and army cots at several Assembly Centers and Relocation Centers. The schools were, in actuality, unfinished rooms without chairs or tables or school supplies. Hence, many of the volunteer civilian support staff had to scrounge for crates and beg for reading materials in the first few months of the war. This shortfall of material and

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<sup>41</sup> Ibid., 78-79.

<sup>42</sup> Transcript with Colonel Bendetsen and the Governor of Utah, March 3, 1942; Folder 384.4 AG Records, Box 15, RG 499 Records of the United States Army Defense Commands, NARA.

<sup>43</sup> Telephone Conversation between General DeWitt and General Allen Gullion, Washington, February 5, 1942, Folder 384.4 AG Records, Box 15, RG 499 Records of the United States Army Defense Commands, NARA.

<sup>44</sup> Conversation between General DeWitt and Major Bendetsen, January 30, 1942, Folder 384.4 AG Records, Box 15, RG 499 Records of the United States Army Defense Commands, NARA.

<sup>45</sup> Oral History Interview with Karl R. Bendetsen, 82.

will continued until the Congressional appropriations could be made for the War Relocation Authority.<sup>46</sup>

While some historians portray the president's involvement in the internment as stark and unrelenting, the origin of the Civilian Phase of the internment demonstrates the president's intentions to be far more grey in perspective.<sup>47</sup> Shortly after Roosevelt had signed EO 9066, he had summoned one of his civilian advisors with a reputation for trouble-shooting hard problems. Before being summoned, Milton Eisenhower of Abilene, Kansas had already served previous presidents (ex. Calvin Coolidge and Herbert Hoover), advising on farm legislation, creditor status, and electioneering. During the early New Deal, the Roosevelt Administration heavily used Eisenhower to coordinate the president's farm programs and the Office of Budget. Upon arrival, Eisenhower was conducted through a secret underground entrance into the White House to escape the notice of the press, which would likely telegraph the president's intentions. Over the course of their brief meeting, Roosevelt, Eisenhower later recalled, ordered him to set up an organization to move the Nisei away from the Pacific Coast with the legal assistance of the Attorney General and the "physical assistance" of the Secretary of War. Roosevelt concluded the meeting by saying, "And Milton... the greatest possible speed is imperative."<sup>48</sup>

If the president had viewed the internment as a strictly military matter, he would have followed Lincoln's Civil War example. As Lincoln had during the 1861 Baltimore riots, FDR would have authorized the regional commander to institute martial law on the West Coast,

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<sup>46</sup> Stephen Longenecker. *Selma's Peacemaker: Ralph Smeltzer and Civil Rights Mediation*, (Philadelphia,: Temple University Press, 1987), 5; Ibid.; Letter from Mary Smeltzer to The Committee for Redress, the Japanese American Citizens League. October 13, 1981. Commission on Wartime Relocation and Internment of Civilians Testimony Collection. NARA; Charles Lord. "The Response of the Historic Peace Churches to the Internment of the Japanese Americans During World War II."(M.A. Thesis, Associated Mennonite Biblical Seminaries, 1981.) 31-32; Letter from M.R. Zigler to Mr. and Mrs. Ralph Smeltzer. Brethren Service Committee November 19, 1942. Brethren Service Reports File, Box 6. Japanese-American Relocation Collection. Brethren Historical Library and Archive; Gospel Messenger, December 12, 1943, 19.

<sup>47</sup> Robinson, *By Order of the President*.

<sup>48</sup> Milton Eisenhower, *The President is Calling*, (Garden City: Doubleday, 1974), 95.

apprehend active dissents, and secure his prisoners, bound now by military law, to military prisons on Army bases. Instead, FDR's creation of two parallel evacuation authorities demonstrates that the president had listened to Biddle's earlier advice but had chosen the more expedient path to defuse the situation over the democratic virtues of civil liberties. By creating a civilian agency in the War Relocation Authority (WRA), Roosevelt had also ensured that civilian authorities could mitigate the shortfalls of the military's actions in the crisis. For example, the inclusion of Eisenhower and his staff enabled the WRA to steer the selection of the Relocation Centers to civilian territory. Placing of the Centers on Department of Interior land freed the evacuees from being subject to martial law on military bases and confined the involvement of military personnel to perimeter guards. Further, the civilian supervision made it possible for Nisei families in custody, unlike the Issei already imprisoned on military bases, to leave the camps for places outside the WDC's restricted zones through the policy of evacuee self-governance with Justice Department oversight. In essence, the WRA filled the void Biddle had unceremoniously created and restored the Justice Department as an active participant in the crafting of internment policy.

Still, Roosevelt's civilian phase move was a half-measure. The Issei and Nisei were still subjected to the abridgement of their civil liberties, incarcerated without trial, and made to suffer the privations of two competing organizations who neither wished for nor had the resources to conduct their custodial jobs. Over the next several months, Milton Eisenhower imported his staff from the Department of Agriculture and attempted to gain funding for the areas the WCCA was designating as the terminal point for the internees. Eisenhower, however, had little success. Budget appropriations, and the poor accommodations, were slow to come, and Bendetsen was focused on the literal limits of his orders, that is, the removal process and not the custodial care.

Bendetsen also seems to have had sore feelings about not receiving unilateral control over the internment. Bendetsen wrote to DeWitt regarding Milton Eisenhower's appointment to the WRA, "The president has decided to draft the services of Milton Eisenhower (brother of Gen. Eisenhower) to be the head of this so-called 'semi-separate' agency. Mr. Eisenhower ...is to be what might be described as a 'star.'"<sup>49</sup> The War Relocation Authority's frustration with the military and the continued backlash felt by the WRA administrators against the unlimited resettlement of the Nisei in state land beyond the camps were undoubtedly contributing factors in Milton Eisenhower's sudden mid-1942 resignation as Director of the WRA. Eisenhower was, however, succeeded by another New Deal insider, Dillon Myer, who continued to advocate for the Issei and Nisei. His efforts in continuing the president's policies of foil to the military's self-created crisis gained an unbroken string of successes, diminishing the War Department's overreaction with each passing month through to the end of the war.<sup>50</sup>

The resolution of these competing policy views also left a substantial gulf between the civil and military authorities. While the Japanese American Citizen's League (JACL) had pledged both their allegiance to the United States and commitment to do whatever was best for the nation at war, few had likely foreseen separation from their homes and detention behind barbed wire as the ultimate results of their promise. They had, in effect, been caught on the tracks of a runaway racist freight train of snakes. Moreover, prior to the creation of the WRA, there had not been a single substantive measure undertaken at any level of government to address the concerns of the Issei or the Nisei. Although privately many policy makers conceded the loyalty of most Issei and Nisei, their public silence only encouraged those who questioned the

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<sup>49</sup> Memorandum for General John DeWitt, Subject: Report of Recent Developments in Washington Regarding the Evacuation Program, March 9, 1942, 384.4 Volume I (AG Records Files), Box 15, Wartime Civil Control Administration and Civil Affairs Division, RG 499 Records of the United States Army Defense Commands, NARA.

<sup>50</sup> Dillon Myer, *Uprooted Americans*, Manuscript, Undated, Dillon Myer Papers, FDRPL.

loyalty of these longtime residents and citizens as “Counterfeit Patriotism.”<sup>51</sup> The lack of overt support for the rights of West Coast Japanese was compounded by the heightened prejudicial climate of the West Coast and the military's new accusations that some Issei and Nisei were aiding the enemy. Hence, the only way to “prove” their loyalty was for members and their families to abide by the letter of their JACL pledge, pack their bags, and be conducted by the Army into the camps. As a result, many Issei and Nisei felt the United States had abandoned them.

The conglomeration of accusation and knowing silence also led many evacuees, and now internees, to question their identity in light of the internment policies. Many Nisei protested through passive resistance. “The government brought me here,” said one Nisei upon his arrival at a Relocation Center. “They will have to feed me. I no work. [sic]”<sup>52</sup> On the other hand, the Issei, as many had always done, accepted the American government's orders without dissent and attempted even under the worst of circumstances to prove their loyalty through close adherence to the law and the behavior they believed the government wished to see. As Asian-American historian Valerie Matsumoto discovered, “the most 'loyal and willing workers,'...were the Issei men and women--coincidentally those least likely to be able to leave the camps in search of temporary work elsewhere.”<sup>53</sup> Issei and Nisei were caught in the straight-jacket the Second World War West Coast had made for them to wear.

Yet, they never found acceptance. Upon their return to the West Coast after the war, many found their silent suffering had not changed the minds of their pre-internment detractors. For example, Rose Honda thought her father “was rather apprehensive, in terms of how he was

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<sup>51</sup> “Counterfeit Patriotism,” *People's World*, January 9, 1942.

<sup>52</sup> Lawson Inada, ed. *Only What We Could Carry: The Japanese American Internment Experience*, Berkley: Heyday Books, 2000).

<sup>53</sup> Valerie Matsumoto in *What did the Internment of Japanese Americans Mean?* (New York: Bedford/St Martins, 2000).

going to be accepted, because right here in West L.A., many of the stores, shops on Santa Monica Boulevard had signs up, 'No Japs Allowed,' or 'Go Back.' There were signs like that. So that was uncomfortable..."<sup>54</sup> Hence, the internment experience bifurcated the family structure between the Nisei and their parents, expressing different and, one might argue, divergent views of the same experience. By being removed and interned, they, metaphorically and literally, became longtime American residents and citizens without homes in the furtherance of a White California.

Once EO 9066 had been signed by Franklin D. Roosevelt, the internment of the Issei and Nisei residents of the Western Defense Command was a foregone conclusion. The accumulation of limited policies, unquestioned assumptions, and administrative missteps had focused the administration so intensely on the War Department to provide a simple and straightforward solution to their self-created problem that reason and other alternatives were dismissed. Even in light of glaring shortfalls in resources and the unwillingness of the Western Defense Commander to participate, the War Department and Roosevelt Administration considered internment easier to manage than any other option. Once the administrative machinery began to turn, the administration, however, moved to mitigate some of the problems the military and they had created. This half-measure, however, awash on a sea of hatred, suspicion, and apathy, neither corrected the mistakes that had been made nor addressed the harm that was being done, leaving the Issei and the Nisei to deal with the straight-jacket that had been made for them to wear.

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<sup>54</sup> Japanese American National Museum, ed., *Rebuilding Japanese American Families, Communities, and Civil Rights in the Resettlement Era, Los Angeles Region*: Volume II, Regenerations Oral History Project, JARDA, 1999, 97.

## **Conclusion**

The American military's removal of 110,000 individuals of Japanese ancestry was the result of a systemic failure to adjust to the realities of the Second World War on the West Coast. Regional biases and racial tensions had fanned the flames of prejudice against the Issei and Nisei. Limited vision and poor analytical judgment further complicated the situation, obscuring fact with fantasy and sending the army spiraling into a miasma of racial hatred and dubious action. Personal racial antipathy and administrative apathy compounded the errors. With pressure from the American civilian command hierarchy and incompetence within the General Staff, the nation's West Coast Issei and Nisei became victims of the civilian West Coast, the American military and the Washington beltway's civilian command hierarchy.

The military on the West Coast suffered a comprehensive critical reasoning failure in war planning, civil-military relations, and operational command. In responding to the outbreak of war, they first failed to appreciate the depth of racial motivations in their protectee's and their own actions. Thereafter, they failed to prepare a flexible response to a potential massive security breach. At the same time, the war planners also failed to appreciate the fabric of the military's presence in the region's social and economic ties to the West Coast's culture of militarization. Similarly, they incorrectly assumed that the civilian government was both unbiased toward its own citizenry and equipped to handle the de facto position of rear echelon defender. Together, these oversights produced a synergistic civil-military doorway through which the West Coast's civilian population poured their long-festering and still growing anti-Asian prejudice.

The planners' errors were compounded by WDC Commander Brigadier General John L. DeWitt's inability to assess the situation and allay the concerns of the citizenry. His abject failure to communicate the WDC's needs to the civilian regional and resident federal authorities



hastened the erosion of the West Coast's faith in their security. The strict adherence to a formal view of a war (pitting only opposing armies and navies) blinded the West Coast's commanding officer to his true enemy, the public's fear of their own seemingly imminent demise. DeWitt's actions, therefore, unintentionally inflicted a wound on his own zone of command more serious than any the Japanese military unit could have mustered, the demise of the Issei and Nisei's civil liberties.

Moreover, the fundamental foundation upon which the American military operated on the West Coast was holistically unsound. Decades of growth based on regional military development and vigilante violence had created a population of reactant extremes. Simultaneously, the region's longstanding racial antipathy for residents of Japanese descent had been focused by wartime events, creating a causal relationship between personal fears of insecurity and an unchecked growing bias against the innocent Issei and Nisei. In effect, the racism had also grown from a subtext of California society to national xenophobia, ensnaring members of the city, state, and federal wartime decision-makers. As the war progressed, the racism became expressed through the culture of militarization. By the time the military became mired in local affairs, the endemic West Coast anti-Asian bias had become a full blown faux pandemic, which the American military was ordered to remedy.

On the federal level, both the military and civilian agencies demonstrated similar administrative myopia. Initially, the prewar agreements and traditional jurisdictional borders among federal entities functioned adequately, providing effective layers of security. Their assistance on a regional level on a case-by-case basis as needed saved time and duplication of resources. Yet, their compartmentalization also engendered a presumptive behavior. When the internment policy was being formed, the executive offices acted as if the other federal organs

knew what they themselves knew and believed what they themselves believed. These beliefs produced a hall of mirrors effect, reflecting their own unsubstantiated beliefs back onto them ad infinitum. This was the case for ONI, G-2, Justice, the FBI, and, most importantly, the WDC. It is easy to see how such poor judgment produced dangerous false assumptions, poor argument premises, and an additional layer of myopia for a situation already plagued by periodic irrationality.

While one might think wartime would focus the federal government, this bureaucratic structure directly inhibited the growth of the executive branch departments into a cohesive war-fighting organism. Communication among the federal parties was conducted either one-on-one or one-on-two or via direct memoranda. This slowed the communication of information. It also provided additional room for wrong assumptions to blossom.

This administrative myopia, however, did bear some merit. For example, Immigration and Justice's failure to share their sets of enemy alien files with local law enforcement likely prevented the targeting of individual citizens by the compromised police departments and would-be lynch mobs. Still, the deliberate inaction also added to DeWitt's own frustrations. As weeks passed and the situation deteriorated, relations between the organizations, consequently, rapidly devolved into a polarized mirror image of the West Coast at the local level. More than simple administrative frustration, the climate of protectionism over one's own assets caused its own cascade of errors. This affected the receipt of mixed signals (e.g. Marshall and DeWitt's intelligence assessments versus the FBI and the FCC), an increase in bureaucratic backstabbing (e.g. the ONI-FBI-DeWitt incident), and the assumption of duties beyond the purview of the military (e.g. the WDC's handling of internal security and assumption of counterespionage duties from the FBI). Hence, the federal government devolved into rival factions who chose protection

of their resources and jurisdiction from predation by others over finding shared solutions for the West Coast. The gross level of incompetence also explains the inability of past scholars to find a consistent narrative of internment policymaking from the Pearl Harbor attack through to the issuance of the executive order, simply because none of the historical actors risked authoring a position contrary to the assumption that alien equaled potential enemy.

It is easy to see how the WDC, with a skeleton force of men and armaments, became overwhelmed with new local and federal responsibilities. These additional duties, in turn, generated still more errors in administration and intelligence analysis. Out of this mire, DeWitt's phantom army arose from circumstantial evidence, civilian fears, and token enemy raids. It was, therefore, easy to predict that DeWitt would look to his superiors for support with which he might stabilize the region from the threats his now grossly distorted vision had perceived. As a result, the West Coast's self-inflicted Issei and Nisei wound bled, grew infected, and, left untreated in a unhygienic climate, developed necrosis rapidly within the limb.

DeWitt, however, never considered his superiors would supersede his request for reinforcements with new orders and greater authority. There would be no additional troops.

Unlike WDC, Washington had the resources to resolve the Japanese resident situation in a lawful manner. Still, they too suffered myopia and, worse, apathy towards a comparatively minor civilian matter amid a host of grand military blunders. The War Department had more important concerns in December, 1941, than the cries of West Coast race baiters. The American military were suffering heavy casualties in the Pacific and, by the end of the month, unprecedented casualties in the Battle of the Atlantic. They were responsible for supplying the Allies to keep the Axis at bay until Africa, Italy, and Europe could be recaptured. At the same time, they were, somehow, supposed to find, train, and equip the military forces to execute the

plans for these counteroffensives. These problems likely caused FDR, hardened by his personal anti-Japanese bias, to delegate management of the West Coast's political and racial issues. Given Washington's global concerns, the festering Issei and Nisei wound was metaphorically and literally a continent away from their concerns.

Yet, as the situation worsened for DeWitt, his superiors should have taken notice. The War Department had all the pieces of the WDC puzzle necessary to understand the situation. They also had a better perspective of the West Coast in the context of the world conflict. They should have drawn the WDC Commander into their decision-making circle by providing him a glimpse of MAGIC or ONI's intercepted Japanese submarine mission orders. That could have ended DeWitt's phantom army search with a single message or meeting. To protect the secrecy of MAGIC, they could have sent a token force westward to counter the public's internal security fears. Either alternative would have arrested the deterioration of the wound, but those in Washington considered, as per prewar plans, the mounting civilian fears to be DeWitt's problem. Instead, the War Department initially chose to leave the deteriorating situation to DeWitt with no means to resolve it and, later, provided a blanket judgment on the Issei and Nisei.

The president himself could have arrested the situation rather than his ostracized citizens. Rather than take a direct interest in the West Coast, he left it to subordinates who, like the War Department, largely left it to their subordinates. Moreover, Roosevelt and Biddle's attempts to deflect West Coast ire away from the Nisei worked at cross purposes to their other wartime messages to be aware of domestic enemy actions. Both should have been aware how such messages were affecting treatment of the Issei and Nisei on the West Coast. The president could have also fostered an agreement among the civilian entities and the WDC akin to his prewar intelligence arrangements. There was, however, some reason for FDR to believe the West Coast

situation was in capable hands. After the Pearl Harbor attack, Biddle and Stimson continued their involvement and consulted at length with their departments. There is no evidence, however, that FDR was kept abreast of the situation. Similarly, Stimson had also sent a legal representative of JAGD out to oversee the West Coast problem and report back. But it does not seem that FDR knew about Bendetsen's background or ambitious attitude. As a result, an overloaded plate, an inherent racial bias, and bureaucratic apathy led the president to believe that matters on the West Coast were in capable hands.

Over time, this mixture of accumulated errors, poor foresight, bias, administrative incompetence, and apathy collapsed the already understrength support structures. Washington saw DeWitt's perceived threat as both legitimate and in dire need of remedy. The longstanding argument between Justice and the military was set aside, because the War Department believed DeWitt (and, now, Bendetsen) knew better than they about the situation. Thereafter, the administrative failures cascaded into each other. If the situation were dire, DeWitt needed expanded powers to overcome the system's shortfalls and establish control of the region. Hence, DeWitt was ordered by Stimson and McCloy to draft a report showing dire need. Once the extent of the situation was ascertained by McCloy, the civilians in the War Department could delegate the appropriate amount of force. Instead, the mid-level bureaucrats of the War Department (the PMG and Bendetsen as JAGD) incorporated DeWitt's dire outlook in their planned mass evacuation of the Issei and Nisei to internment camps, which would easily resolve the entire situation for the War Department and DeWitt. In one final act of grand incompetence, Bendetsen assumed DeWitt's power and managed the War Department's new internment policy, fulfilling the West Coast's longstanding inherent racial exigent goal.

War and Justice Department actions in 1943 and 1944 do bear out this argument. In their preparations for the government's pending cases in *Ex Parte Korematsu*, *Ex Parte Endo*, and *Ex Parte Hirabayashi*, Assistant Secretary of War John McCloy (for Stimson) and Attorney General Francis Biddle conducted their own investigations into the decision-making that led to the internment.<sup>55</sup> In May 1942, Fred Korematsu was arrested and convicted of failing to comply with the military evacuation.<sup>56</sup> In July 1942, Mitsuye Endo filed for a writ of habeas corpus from her Tule Lake Relocation Center confinement, asserting the illegality of holding an American citizen without proof of wrong-doing.<sup>57</sup> Gordon Hirabayashi, a student at the University of Washington and member of the American Friends Service Committee, turned himself in to the FBI for violating military curfew during the formative stages of the internment.<sup>58</sup> As part of the War Department's administrative response to the cases winding through the court system, in 1943 DeWitt and Bendetsen drafted a final report of the reasons and methods used in the decision to intern the West Coast Japanese.<sup>59</sup> The context in which the document arrived at the War Department alarmed both War and Justice.

According to a Justice Department document, DeWitt and Bendetsen followed McCloy's order, but not his wishes about how the report was to be delivered. Instead of sending the War Department a draft for editing, they sent McCloy the final report based on Bendetsen's "recollections."<sup>60</sup> Instead of keeping "the printed report....confidential," DeWitt gave out several

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<sup>55</sup> *Korematsu v. U.S.* 323 U.S. 214 (1944); *Ex Parte Endo*, 323 U.S. 283 (1944); *Hirabayashi v. U.S.* 320 U.S. 81 (1943); Memorandum for Charles Fahey, April 19, 1943, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>56</sup> *Korematsu v. U.S.* 323 U.S. 214 (1944)

<sup>57</sup> *Ex Parte Endo*, 323 U.S. 283 (1944)

<sup>58</sup> *Hirabayashi v. U.S.* 320 U.S. 81 (1943)

<sup>59</sup> Telephone Conversation between General DeWitt and Assistant Secretary of War John McCoy, Washington DC, April 15, 1943, Box 1, RG 200 John L. DeWitt Personal Papers, NARA.

<sup>60</sup> Letter from General John DeWitt to Assistant Secretary of War John McCloy, April 18, 1943, Regarding the Letter of Transmittal and Airmail of the Final Report Including Two Copies, Box 1, Hirabayashi Hearing Material, USAHEC; Memorandum for Charles Fahey, April 19, 1943, Box 1, Hirabayashi Hearing Material, USAHEC.

copies, including at least one to a California congressman.<sup>61</sup> Justice was handed “only forty pages” that had been “torn out of the report” on condition they be returned.<sup>62</sup> The pages were returned to the “regret” of Justice.<sup>63</sup> McCloy was alarmed by the handling of the unedited report as well as many of the facts in the case.

Colonel Bendetsen and McCloy spoke by telephone on April 19, 1943:

McCloy: I got your report, but I'm surprised to see that it was in bound form. I thought it was arranged that we were to get a galley of it before you print it out.

Bendetsen: That is a report of the Commanding General to the Secretary of War. ... That isn't--has not been distributed except as an official report. If there are any changes which are desired to be made by the War Department that complies with the arrangement. Everything is set to carry that out. This is merely his report from him on to the war Department.

McCloy: That is the thing that I understood you were going to have us take a look at. Because we work together on the thing. There is no such thing as a separate report--it contains a lot of stuff that I question the wisdom of and it certainly complicates it to get it in a printed form such as this. I thought it was perfectly clear that you were going to let us have a galley before it was bound up.

.... but this is all in the air of finality--the letter of transmittal is already printed and signed-completed-done-Pat. [sic] That is what disturbs me. That whole thing disturbs me--frankly. I have the feeling that we have gotten apart from each other--War Department, Western Defense Command--we are not cooperating as we once were. I'm distressed about it. I know the people here. I don't know quite what to do about this thing.

There are a number of things in it now which I feel should not be made public--I feel that it, to a large extent, is a sort of self-serving document on this matter relocation and the tone of it isn't the sort of thing that I think would make it valuable. The tables and other stuff is [sic] all right, but the first part of it is too self glorifying and too self-serving for the type of document that I think should be perpetuated.

Bendetsen: Sir, I didn't think that there was ever anything that the report should not contain the basis upon which the action was taken--and that has been attempted religiously.

McCloy: you know as well as I do that when you go through that report, that it is pointed to this issue--this question is now up. Even the negation of the suggestions that it wasn't a question of time--that it was a matter of--as you put it--facing the facts to clearly point to the issue at hand make any mistake about it.

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<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

Bendetsen: That part of it, the first part, which is the smallest part of the document, was written a long time ago and had no direct connection with this at all. I assure you of that. The thing that held it up was the last part--the detail part--which is the main part of the volume.

McCloy: It certainly was awfully pointed towards the question of whether the Japanese should be relocated now or not until after the duration. That certainly wasn't up at that time. We never thought about it. But I don't know now--we have got to send around to the Justice Department and anybody else that is quoted there before we can determine whether we ought to publish any more copies and distribute them or not. I noticed that DeWitt recommends that the classification of confidential be removed and it be published very widely. However, we will go through with it and see whether it is a practical matter--you can eliminate some of the stuff, or whether we want to publish the appendix.

McCloy: We are getting a lot of inquiries from California congressmen on it. Apparently it is stirring up a great many inquiries. While I don't know what to do about the thing now except to... You have got to treat this as the report of DeWitt has been made... Final recommendations--even as to how the-how long the Japanese are going to stay there--how a man can make such a recommendation without knowing what developments the war is going to take, I don't see.<sup>64</sup>

Once the forty pages were handed over to Justice, Biddle, Rowe, Fahey, and Ennis fact-checked the report on their own.<sup>65</sup> They found no basis for DeWitt's assertion of a phantom army, but they did suspect that there was something very wrong with DeWitt's intelligence officers. "Indeed," FCC Chairman James Fly told the attorney general, "the Western defense command was undoubtedly led to believe such signaling existed and to give credence to the main rumors to that effect, because Army installations themselves have repeatedly made wholly inaccurate reports of the existence of the illicit stations along the West Coast [sic]."<sup>66</sup> The administration and their racial biases had been caught with their hands in the cookie jar.

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<sup>64</sup> Transcript of Telephone Conversation between Colonel Karl Bendetsen and Assistant Secretary of War John McCloy, Washington DC, April 19, 1943, Box 1, Hirabayashi Hearing Material, USAHEC.

<sup>65</sup> Letter from Biddle to James Fly, February 26, 1944, Japanese Relocation Cases III Folder, Box 37, Charles Fahy Papers, FDRPL; Memoranda to the Attorney General from James Lawrence Fly, Chairman, FCC, Subject: Lieut. Gen. John L DeWitt's Final Report on Japanese Evacuation from the West Coast, April 1, 1944, Japanese Relocation Cases III Folder, Box 37, Charles Fahey Papers, FDRPL.

<sup>66</sup> Ibid.



To support the government's case and save embarrassment, the War Department "security first" advocates joined with the pro-civil liberties Francis Biddle to seal the final report.<sup>67</sup> The racially driven policy train wreck had run its course and the disaster was promptly swept under the rug.

Although without the evidence of wrong doing on the part of the interned, the Supreme Court was as equally divided as the Justice and War Departments in determining the internment cases before the bench. In the 1944 *Korematsu v. United States*, Justice Hugo Black ruled 6-3 to uphold Exclusion Order 9066 to protect against potential acts of sabotage perpetrated by the nation's enemies. The Supreme Court, refused, however, to rule on the constitutionality of the detention issue. Japanese exclusion was grounded in "military imperative," according to the majority opinion; it was not a "punishment based on antagonism to those of Japanese origin." In a dissenting opinion, however, Justice Murphy made clear his understanding that the case ignored the limits of constitutional power and fell "into the ugly brink of racism."<sup>68</sup> Yet, after careful deliberation later that same day, the court struck down another Nisei internment case as unconstitutional, *Ex Parte Endo*. Contrary to the West Coast's wishes, the court decided that as an American citizen determined to be loyal to the United States, such as Endo, could not be held under federal detention.<sup>69</sup> In forming the dissenting *Korematsu* opinion, Justice Jackson, however, gave an underlying reason for the opposing decisions, underscoring the suspect racial dimension of the military's internment decision. He wrote,

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<sup>67</sup> One could argue equally that DeWitt's error-ridden final report was either one more level of incompetence and fear or a political move to stick the War Department with the problem they had foisted on him a few years earlier. The latter is more likely, as DeWitt had been initially abandoned, then had his pleas overridden, and then been forced to assume a job he had long protested. This is also in character with his reception of the EO and sudden abrogation of responsibilities in favor of Bendetsen for management of the internment with Dewitt's creation of a new G-5 Division for Bendetsen to manage the evacuation outside of DeWitt's office complex. It was out of sight and out of mind.

<sup>68</sup> *Korematsu v. U.S.*, 323 U.S. 214, p 243-244.

<sup>69</sup> *Ex Parte Endo*, 323 U.S. 283 (1944)

Now, if any fundamental assumption underlies our system, it is that guilt is personal and not inheritable. Even if all of one's antecedents had been convicted of treason, the Constitution forbids its penalties to be visited upon him, for it provides that "no attainder of treason shall work corruption of blood, or forfeiture except under the life of the person attained. But here is an attempt to make an otherwise innocent act a crime merely because this prisoner is the son of parents as to whom he had no choice, and belongs to a race from which there is no way to resign. If Congress, in peacetime legislation should enact such a criminal law, I should suppose this Court would refuse to enforce it."<sup>70</sup>

*Hirabayashi v. U.S.* was, likewise, upheld by the Supreme Court. The court ruled that the United States military could in time of war set a curfew to address national security concerns in a war zone. Yet, as Peter Irons described in *Justice at War*, there were considerable flaws in the War Department's prejudiced assumptions about the accused.<sup>71</sup> The decision stood until set aside by a Seattle, Washington District Court in 1985. That ruling maintained the Supreme Court decision on the legality of military restrictions (which was supported by period military and intelligence documents as well as the arguments of several American social and military historians) but judged that basing Hirabayashi's arrest on the Supreme Court ruling had been an error. The Seattle court asserted that Gordon Hirabayashi was not an agent of the Japanese Empire, and thus, the ruling of the original case was legally expunged from the federal record.<sup>72</sup> The military's internment policy grew from a systemic series of failures in an unprecedented proportion. The resident Issei and Nisei were not people. Like the West Coast's civilian populace, they were deemed rear echelon components of the American military's homeland defense. By a process of grossly poor judgment, these parts became, essentially, discarded material and the unthinkable became eminently thinkable, because of the now generally considered blinding element of racism.

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<sup>70</sup> *Korematsu v. U.S.*, 323 U.S. 214, p 243-244.

<sup>71</sup> Peter Irons, *Justice at War: The Story of the Japanese American Internment Cases*, (New York: Oxford University Press, 1983), p. 94.

<sup>72</sup> *Gordon K. Hirabayashi v. United States of America*, No C83-12, June 17, 1984, Box 1, Hirabayashi Hearing Material, USAHEC.

Thus, DeWitt's phantom army and the dire emergency disappeared, leaving only the racial antipathy over which his fears for the West Coast had been clothed to fester for years to come. Many have successfully claimed malice on a social level. Others have asserted bias and poor management within the Roosevelt Administration. Racism also needlessly injected instability into the situation, creating a blinding myopia and urgent faux motivation on both the West Coast and within the Roosevelt Administration to intern the Issei and Nisei. The deciding factors inside the American military, however, were incompetence and apathy. Together, race and incompetence made the nation's Issei and Nisei into collateral damage for an uncaring bureaucracy seeking security with limited reasoning, fear, and bias.

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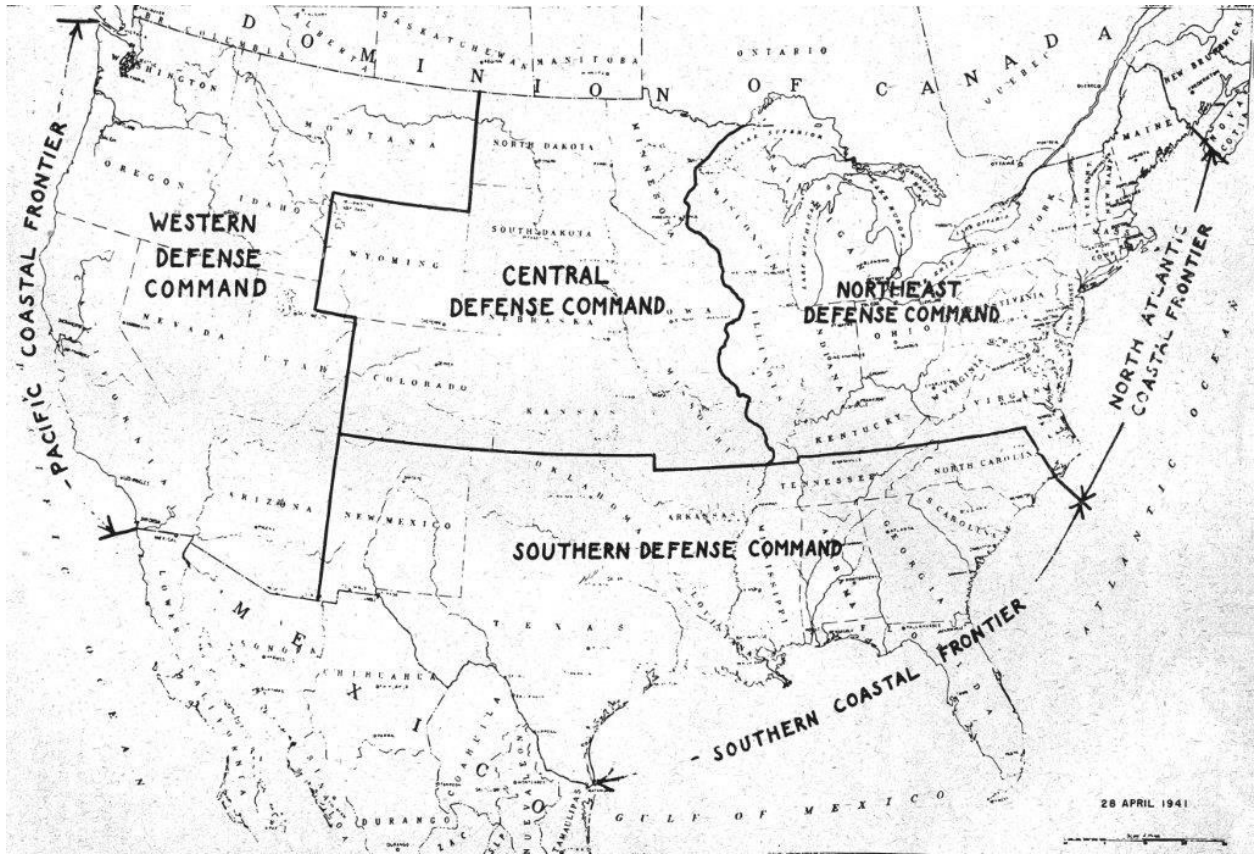
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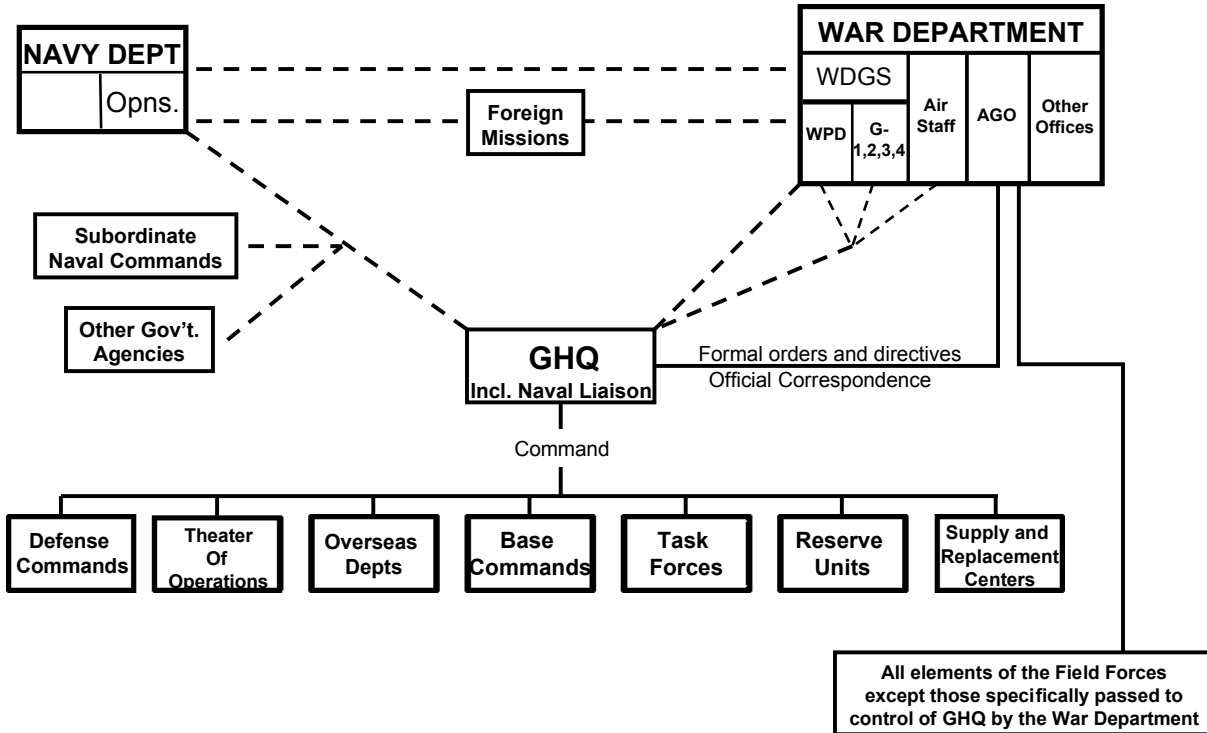
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**Appendix A: Map of Defense Command System of the United States**



**Appendix B: Operation of GHQ – Relation of GHQ to War Department, etc.**

OPERATION OF GHQ- RELATION OF GHQ TO WAR DEPARTMENT, ETC



*December 1940- January 1942*

## Appendix C: Relation of Western Defense Command (WDC) to War Department

Relation of Western Defense Command (WDC) to War Department

