

UNIVERSITY OF HAWAII LIBRARY

MURDER, RAPE, AND MARTIAL LAW: A DUAL-SYSTEM OF JUSTICE FOR
HAWAII'S JAPANESE, 1928-1944

A THESIS SUBMITTED TO THE GRADUATE DIVISION OF THE
UNIVERSITY OF HAWAII IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS

IN

HISTORY

MAY 2003

By
Kelli Y. Nakamura

Thesis Committee:

Margot Henriksen, Chairperson
Marcus Daniel
Richard Rapson

© Copyright 2003
By
Kelli Yoshie Nakamura

Acknowledgements

This thesis would not have been possible without the support and assistance of numerous professors, colleagues, and organizations. I would like to express my thanks and appreciation first and foremost to my advisor Mimi Henriksen, who constantly challenges me both professionally and personally to achieve my true potential. This thesis also benefited from the patience and support of my two other advisors, Marcus Daniel and Richard Rapson, who have taught me to question traditional interpretations of history and who have provided wonderful examples of great teachers. I would also like to thank the Goto of Hiroshima Foundation whose generous support, financial assistance, and resources have been instrumental in the writing of this thesis. My thanks and appreciation also go out to the American Association of University Women, which provided generous financial assistance in the form of fellowship support in the pursuit of higher education. In addition, I would like to thank the staff and my fellow students in the History Department for their unwavering support and understanding especially during this stressful writing process. Finally, I would like to thank my mother and father as well as my brothers Marc, Reid, and Taylor. They have humored me throughout the years and have yet to throw me out of the house. I appreciate it, I really do.

Abstract

This thesis analyzes the development of anti-Japanese sentiment in Hawai‘i from 1928 to 1944, which culminated in the institution of martial law and the internment of nearly 1,500 individuals in Hawai‘i. It discusses the growing fears of Japan due to its militaristic activities in the Pacific and the perceived threat of Hawai‘i’s Japanese in the event of war. This thesis specifically focuses on two crimes in the pre-World War II period, the Jamieson murder and Massie rape, which sparked ethnic fears among the white elite in the islands and among American military officials. These two groups, who shared similar interests, became aligned with one another to control the Japanese in the islands, first through a dual-system of justice that privileged whites at the expense of minorities and later through martial law. Anti-Japanese sentiment found expression in internment as Japanese internees were under strict military restrictions, arbitrarily punished, and strip-searched in the camps. Analysis of internment in Hawai‘i as well as its origins and implications not only challenges the dominant assumption that Hawai‘i’s Japanese benefited from an “enlightened” military policy during World War II, but also implicitly questions the usual exclusion of racial conflict—specifically with white elites and military officials—in the history of Hawai‘i’s Japanese.

Table of Contents

Acknowledgements.....	iv
Abstract.....	v
Preface.....	vii
Chapter 1. Deconstructing Hawai‘i’s Racial Paradise: Ethnic Discrimination in the Law.....	1
Chapter 2. “A Manhunt for Self”: The Jamieson Murder and Japanese Ethnic and Legal Identity in Hawai‘i.....	10
Chapter 3. Containing “Alien Blood” and the “Darker Stained Races”: Hawai‘i’s Whites Establish Extra-Legal Precedents in the Massie Case.....	29
Chapter 4. “Once a Jap, Always a Jap”: The Military and Civil Justifications for Martial Law and the Impact of Martial Law on the Japanese Community.....	51
Chapter 5. “They Even Checked Our Assholes”: The Invasiveness of Martial Law and Japanese Internment, 1941-1944.....	67
Chapter 6. “Shadows of Their Former Selves”: The Legacy of Martial Law for Hawai‘i’s Japanese Leaders.....	91
Bibliography.....	97

Preface

*"[At Sand Island] The boss there made us, us men, really cry. It was February and it was rainy—the rain would come down from the mountains and this boss would make us stand in the rain, practically naked, in our undershirt and underpants. It was because of this that we who left Kauai had our first casualty. It was a person named...Kokubo. He had a cold to start with and then he became constipated for a week and we had no medicine or means of helping him, so he died. This was the first internee casualty."*¹

Kaetsu Furuya, a former Japanese language schoolteacher on the island of Kauai, describes in this story a gripping memory of the internment he and nearly 1,500 other Japanese in the islands experienced on Oahu during World War II. Furuya's testimony offers just a brief glimpse into the humiliating and devastating ordeal of internment in Hawai'i that had two fundamental purposes: to destroy the lives of the individuals who represented the leadership of the Japanese community in Hawai'i and to instill fear in others who suspected that they might be subject to a similar fate. Hawai'i internment represented a significant departure from mainland internment, as Hawai'i's internees were treated like prisoners and subjected to military punishments and strip-searches. Moreover, this racially motivated legal repression in Hawai'i had a long history, stretching back to 1928, when the Japanese in the islands were already being considered the "enemy."

¹ "Mr. Kaetsu Furuya," Japanese Internment and Relocation: The Hawai'i Experience, University of Hawai'i, Hamilton Library, Special Collections [henceforth JIRHE] Item 233, 2. (JIRHE was a research project headed by Dennis M. Ogawa that collected archival and oral history materials on the Japanese internment experience in Hawai'i. JIRHE has amassed a valuable collection of documentary evidence and for research purposes, I have used the JIRHE listing.)

The accounts by Hawai'i's internees of their wartime lives are often remarkably missing in the dominant historical discourse on the Japanese in America during World War II. A closer examination of the period prior to World War II and of the internment experience itself in Hawai'i is necessary for any deeper understanding of the origins of internment and the forces that led to this dehumanizing treatment. It is also necessary to correct the absence of this record in historical accounts of this period. Clearly distinguishable from the mainland internment experience, Hawai'i internment proved exceptional and therefore provided rich insights into the true purposes behind the internment of Japanese. This was particularly striking in a place known for its racial tolerance and unity.

Between 1928 and 1944, two murders, a rape, and an attack on Pearl Harbor occurred in Hawai'i that made national headlines and galvanized fear of the Japanese in the islands. The first event in 1928 involved the kidnapping and murder of Gill Jamieson, a 10-year-old boy from a prominent white family in the islands, who was killed by Myles Fukunaga, a seemingly well-mannered local Japanese young man. Jamieson's murder aroused suspicions about a Japanese community that seemed poised to commit violence against the dominant white population in Hawai'i. Only a few years later in the world-famous Massie rape case and trial, a young Japanese man was among those accused in the beating and rape of a Navy wife from an affluent eastern family. In the following weeks, Horace Shomatsu Ida, the Japanese defendant, was whipped and beaten by Navy friends of the victim Thalia Massie to force a confession from him. After a mistrial in the rape case was announced, Ida's Hawaiian co-defendant, Joseph Kahahawai, was kidnapped as he left the courthouse. His naked corpse was found in the backseat of a car

wrapped in a sheet with a single gunshot wound to his head. While Hawai‘i was still in an uproar over these events that drew national attention to the presence of ethnic “undesirables” living in the islands, Japanese naval forces attacked Pearl Harbor. This event seemed to confirm the previous suspicions of the threat posed by Japanese in Hawai‘i, who were rumored to have participated in covert activities that paved the way for the success of the Japanese Navy.

The cumulative impact of these events tapped into a long-standing trepidation of the Japanese held by select local white elites and the United States military. In collaborating to maintain white supremacy, these whites enforced control over the Japanese population through the institution of martial law. While not all whites in the islands feared the Japanese, those who had the greatest incentives for controlling the Japanese—business and military leaders—also possessed the political power to enforce legal control over the Japanese through martial law. On some levels, martial law simply symbolized the culmination of a systematic pattern of white legal discrimination against ethnic groups in Hawai‘i, the powerful Japanese in particular. Prior to Pearl Harbor the Japanese were legally pinioned and controlled through a dual-system of justice in Hawai‘i, which privileged whites at the expense of ethnic groups like the Japanese. Two instances in particular—the Jamieson case and the Massie trial—are reflective of the legal discrimination against the Japanese that existed in the pre-war period. In the Jamieson case, Fukunaga was charged, convicted, and sentenced to hang for Jamieson’s murder despite the fact that the entire trial lasted less than a week, his court-appointed attorneys called no witnesses on his behalf, and concerns about Fukunaga’s sanity were never resolved. In the Massie trial, Grace Fortescue—the victim’s mother—and three

white Navy men were convicted of manslaughter for the murder of Joe Kahahawai, the Hawaiian co-defendant. After the verdict was announced, however, their sentences were reduced to one hour by the Governor of Hawai'i. On the very day of their sentencing, the convicted criminals were freed and allowed to leave Hawai'i. The very conviction of whites for the murder of a Hawaiian seemed to demonstrate a weakening control of the white planter oligarchy, which had dominated the islands in the pre-World War II period, as well as the weakening control of the American military, which was increasing its presence in the islands due to Hawai'i's strategic location in the middle of the Pacific. A resolve among these whites elites to "correct" this legal imbalance grew.

Martial law, which some whites had called for as early as the Jamieson case, had the purpose of protecting the interests of the closely-aligned civilian and military white elites in the islands. In essence, martial law was an extension and reinforcement of white authority previously administered under the dual-system of justice. Although earlier calls for martial law had failed, the hysteria about the Japanese in the period immediately following the Pearl Harbor attack resulted in its implementation. A hatred of the Japanese was most evident in the internment of nearly 1,500 Japanese in the islands. At the outbreak of war, these individuals were arrested without explanation and sent first to Sand Island and then later to Honouliuli in Ewa, where they were under strict military guard, strip-searched, arbitrarily punished, and forced to perform humiliating and demeaning tasks designed to break their spirit. Among those apprehended were priests, businessmen, professionals, and schoolteachers—in essence the very leadership of the Japanese community. They served as punitive examples to the Japanese community and instilled personal fear in the rest of the Japanese population. Japanese terror, fueled by

their leaders' arrests and degradation, effectively suppressed any potential protests that could have been mounted by the Japanese against their treatment during the war. As leaders of the Japanese community, these interned individuals were effectively silenced and segregated at the very time the Japanese most needed representation and direction. Later, when they were released, these prisoners suffered the stigma of their internment and were ignored not only by the white community as an unpleasant reminder of the war, but also by the Japanese community itself which instead embraced a triumphalist military discourse that celebrated the exploits of Japanese-American military servicemen.

This history of the Japanese in the islands, and in particular their internment in Hawai'i, is often dismissed or is entirely missing from standard historical accounts of Hawai'i and World War II. In part, this absence could be attributed to silence from members of the Japanese community who, having endured suspicion from whites and other ethnic groups since their arrival in Hawai'i, would rather forget about a traumatic phase in their history that only affected about 1,500 individuals—or less than 1% of the entire population. Many historical accounts also regard the small number of Hawai'i internees and the implementation of martial law in lieu of whole-scale internment as evidence of a more tolerant racial atmosphere in Hawai'i. The Japanese, in this view, ultimately enjoyed a benign World War II experience in Hawai'i. The invisibility of Hawai'i's internment in histories of World War II can also be attributed to the fact that interviews conducted with these internees have only recently been compiled. Few published accounts examine these documents in any great detail. However, small numbers alone do not decrease internees' significance, as these stories did not derive from the aberration of wartime fears. They must be examined within the context of the

preexisting fears of the Japanese within Hawai‘i that found clear expression in the Jamieson murder case and Massie trial. While numerous scholars have extensively researched the Massie trial, it has not been placed in the larger nexus of racial conflict and Hawai‘i’s dual-system of justice. Nor has it been linked to the earlier Jamieson case that first established some of the cultural and legal responses to Hawai‘i’s Japanese. There has been little attention paid to this preceding Jamieson murder case, which involved another Japanese defendant and hinted strongly at the tenuous relationship between the Japanese community and the military and the white elite that existed prior to World War II. Whites and Japanese frequently clashed over issues of race and power, and the divide between rulers and ruled was often challenged and never clearly defined—much to the consternation of the planter elite and American military officials. The period prior to World War II was filled with strife and tension between these groups, culminating in martial law and internment.

This thesis examines the history of internment in Hawai‘i, but traces its racist origins as far back as 1928. It chronicles and critically evaluates the subsequent events that occurred in Hawai‘i that made the arrests and internment of these individuals, according to Commander John Ford, a “magnificent” accomplishment that should be made into “a great historical document.”² Chapter 1 details the pre-existing fears of the Japanese that challenged the myth of Hawai‘i as “racial paradise” where different ethnic groups were believed to live side-by-side harmoniously. Rather, the large numbers of Japanese in the islands and the growing militaristic threat of Japan from the 1920s forward made both the white elite and United States military officials question the loyalty

² “Anti-Japanese Sentiment of Naval Commander,” JIRHE Item 361, 2.

of the Japanese. To maintain white control, whites attempted to establish a dual-system of justice in Hawai‘i that privileged whites at the expense of minorities. Chapter Two examines the trial of Myles Fukunaga, who was convicted within this system amidst protest from the Japanese community. Only a few years later, the effectiveness of the legal system in protecting white interests would come under fire in the Massie trial, which is analyzed in Chapter 3. Many in Hawai‘i and on the mainland considered the implications of the trial, which seemed to underscore the growing danger of the Japanese in the islands. Chapter 4 opens with the outbreak of war and the attack on Pearl Harbor, and examines how martial law and internment were legacies of long-standing fears of the Japanese in Hawai‘i who had to date escaped containment by white civilian and military leaders. Chapter 5 closely analyzes the internment experience, examining not only the treatment of the Japanese prisoners by the military, but also how the Japanese themselves were able to mitigate the harshness of their existence in the camps. The impact of martial law and internment on the Japanese, and the significance of internment in Hawaiian history, are discussed in the concluding Chapter 6.

Numerous sources such as newspaper articles, pamphlets, and editorials written during this period were analyzed for their content to assess public opinions about the Japanese in the islands. Oral histories were also consulted and incorporated to provide first-hand testimony from individuals who were part of these specific events. They include statements from the white elites in the islands, United States military officials, and from the Japanese themselves. Within this analysis, it is important to recognize that while the balance of power often favored whites, the Japanese were able to mitigate the effects of this discrimination in different ways and effectively resist the complete

destruction of their self and the Japanese community. In addition, not all whites in the islands subscribed to these racist beliefs of the Japanese promulgated by certain individuals and in fact supported Japanese resistance against discriminatory policies. The story of Hawai'i during World War II is much more complex than merely a polarized view of whites against Japanese or the traditional image of Hawai'i as a racial paradise of ethnic harmony and can only benefit from further research and critical analysis of new sources. Kaetsu Furuya, forced to stand nearly naked in the rain by his white captors as his internment began, nonetheless survived and offered just some of the testimony that brought the story of Hawai'i's internment to light and restored internees to their rightful, visible place in American and Hawaiian history.

Chapter 1. Deconstructing Hawai'i's Racial Paradise: Ethnic Discrimination in the Law

*"Within this plantation community are many camps of either Filipino, Japanese, and Portuguese mixed with other racial groups. Many years back the camps were mainly designated as "Jap camp" or Filipino camp and when a family from a different ethnic group moved into the area, they were disregarded by the rest. Nobody would make them feel at home and welcomed in that section. There was this feeling of mistrust between ethnic groups. A good example would be the place where my best friend lived. It was at the end of the Japanese camp, and on the other side of the road was the start of the Filipino camp. Whenever I used to go around that area to play, the other kids used to tell me 'No go across the road by the Filipino man house 'cause he going chase you with the cane knife.' So many of the kids used to say this that I believed them and never went over the other side to play. We played on our side and they on the other."*¹

This account by a Japanese female from the Big Island describes her upbringing in a plantation community where, according to planter policy, individuals were segregated by ethnicity to reinforce hostility and increase suspicion among different groups. By segregating workers, encouraging competition, and promoting cultural diversity, planters hoped to eliminate the possibility of a united labor force crippling the economy by strike or riot. Using this strategy known as "divide and rule," white planters,

¹ Romanzo Adams Social Research Laboratory, *Race Relations in a Plantation Community* (Honolulu: N.p., [1979]), 3. [Call Number: 65 (Aut-232-(2)-83-J-F)]

The Romanzo Adams Social Research Laboratory (RASRL) became known informally in the 1930s as the Sociology Laboratory. It grew out of the research conducted by the Sociology program at the University of Hawai'i under the direction of Dr. Romanzo Adams. In 1920, Dr. Adams became the University's first professor of sociology and economics. Dr. Adams remained the guiding inspiration of the sociological work performed by faculty and students at the University. During World War II the University Board of Regents formalized the conversion of the laboratory into the War Research Laboratory. After the War, the focus of the lab shifted back from the war-related research, and the lab was renamed the Hawaii Social Research Laboratory. In 1955, the organization was named the Romanzo Adams Social Research Laboratory in a memorial to him. Andrew William Lind became the director of the Social Research Laboratory following the death of Romanzo Adams. The primary focus of the research program of RASRL has always been race relations although many other related topics have been addressed: population, cultural

who constituted a minority in Hawai'i, ensured that they maintained a dominant position in society by pitting different groups against one another.² Competition and hostility arising from this strategy resulted in tensions between different ethnic groups that remained even after workers left the plantations. Racist attitudes among different ethnic groups that were promulgated and reinforced on the plantations ultimately influenced their experiences and histories in Hawai'i. Yet, within many historical accounts of Hawai'i, a different image of Hawai'i emerges, one that celebrates Hawai'i as one of the great "melting pots" of the world, bringing together different ethnicities and creating a unique multicultural way of life. In his study of the Chinese in Hawai'i, Ch'eng-Kun Cheng suggested that the "major ethno-cultural groups and innumerable small ones [are] all involved in a dynamic process of assimilation."³ This notion of easy ethnic assimilation in Hawai'i has long influenced historical understandings of race relations in the islands. It is believed, for example, that ethnic affiliations and cultural ideas are amalgamated in a unifying process of "Americanization," whereby race is eliminated either as a category of historical analysis in Hawai'i or as any sort of divisive force in the community. This notion of the invisibility of race and ethnicity in the "melting pot" of Hawai'i has long dominated historical accounts of Hawai'i, ignoring the history of conflict between different groups in favor of maintaining the illusion of ethnic cooperation. The treatment endured by the Japanese in Hawai'i during World War II

conflict, the impact of war on territorial Hawai'i society, industrial relations, the changing family, and social disintegration. The research program covered over forty years of social history in Hawai'i.

² Dennis Ogawa, *Kodomo No Tame Ni: For the Sake of the Children* (Honolulu: University of Hawai'i Press, 1978), 7.

³ Ch'eng-Kun Cheng, "A Study of Chinese Assimilation in Hawaii," *Social Forces* vol. 32 no. 2 (Dec. 1953): 163.

offers the most dramatic example that effectively challenges this myth of Hawai'i as a "melting-pot," where racial conflict has been presumably tempered by the "Aloha spirit."⁴ Race and racism played important parts in the perception and subsequent treatment of the Japanese in Hawai'i, who were subjected to both institutional and individual discrimination after the bombing of Pearl Harbor. In addition there were different causes for this discriminatory treatment. As a result of widespread community hostility, the Japanese in Hawai'i were forced to prove their American citizenship and loyalty as they faced pressure from other ethnic groups and the military. However, it was only the military, aligned with certain white elites in the islands, which was able to enforce official control over the Japanese in Hawai'i.

Prior to the outbreak of war, a dual-system of justice in Hawai'i's legal system was promulgated with varying degrees of success to control the Japanese by privileging whites at the expense of minorities such as the Japanese. The origins of this system can be traced back to the early contract labor period in Hawai'i, beginning with the arrival of the first Japanese laborers in 1868, as these workers were entirely at the mercy of plantation owners. Violence against Japanese was not uncommon and anyone who dared to challenge the existing plantation hierarchy faced grave consequences. According to a Japanese newspaper reporter:

During those days, the general rule was that the manager was king who held the power of life and death over the workers. The local courts were controlled by him but there was nothing that anyone could do about it. Some managers were said to have regarded their mules as more valuable than the workers. It is said that a Scotch plantation manager on the island of Hawaii used to say outright that the death of one or two Japanese was of no consequence, but that he did not want to see any harm come to any of his mules because they

⁴ Ogawa, *Kodomo*, 10.

cost him approximately a thousand dollars each. Actually speaking, it was a fact that the plantations of those days took better care of their mules than they did of their contract laborers.⁵

This belief that Japanese laborers were inconsequential and valued less than work animals was reflected in the judicial system where whites were rarely punished for their crimes against Japanese and other ethnicities on the plantations. In 1891 at Olowalu, Maui, a Japanese worker was burnt to death after an overseer pushed him into a blazing brush fire after a slight argument. Since that incident, where the overseer escaped punishment for his murder of a worker, Japanese laborers referred to the plantation as “*Oniwaru*” or “Bad Devil” plantation.⁶ On January 1892, a Caucasian field boss shot Ihei Higashi in the leg without any provocation. When the case was taken to circuit court, the offender was fined and sentenced to six months in jail. However, the verdict was appealed to a superior court and the field boss was acquitted of all charges after allegedly bribing the judge and witnesses. When the Japanese community, outraged at this miscarriage of justice, started a fund drive to appeal the case, the Caucasian overseer hurriedly called in and requested the mediation of the Japanese Section of the Immigration Bureau as well as the Japanese Consulate. The matter was settled when Higashi was given \$350 in compensation and sent back to Japan.

Japanese were considered to be particularly expendable when they attempted to challenge the plantation system in Hawai‘i—the source of white power and hegemony—by supporting or participating in labor strikes. Violence directed at them was not uncommon. On October 28, 1889, Hiroshi Goto, who had often volunteered to act as an

⁵ United Japanese Society of Hawaii, *A History of the Japanese in Hawaii* (Honolulu: United Japanese Society of Hawaii, 1971), 123.

⁶ *Ibid.*, 125.

interpreter for the Japanese in court proceedings, paid the ultimate price for his support of the Japanese community. He was lynched and found hanging from a telephone pole as it was speculated “he had incurred the wrath of the planters by his frequent appearances in court to assist the Japanese workers to present their side of the case.”⁷ Some white plantation owners, however, treated their workers humanely, such as George Wilcox, owner of Grove Farm on Kauai, who allowed his workers to rest and smoke when they reached the end of a row of cane and “pampered” them by transporting them on trucks or drays to their worksites instead of making them walk. In addition, Wilcox was known to have discharged a manager who had been with him for eight years for having knocked down a worker in fury when the worker accidentally set fire to a cane field with a lighted cigarette.⁸ Exceptions like Wilcox, who looked after the well-being of his workers, are found throughout Hawai‘i’s plantation history. However, many white plantation owners frequently clashed with Japanese laborers and conflict on the plantations became a source of anxiety for many whites as the Japanese represented the largest ethnic group in the islands, almost doubling their population in the two decades following annexation by the United States in 1898 and averaging about 40 percent of Hawai‘i’s population from 1900 to 1940.⁹ Particularly frightening for many planters was the realization that given their large families, the *Nisei*, or second-generation of Japanese, would represent a large voting bloc once they came of age during the 1930s and would possibly bring change to this system.

⁷ Ibid., 127.

⁸ Ibid., 129.

⁹ Jonathan Y. Okumura, “Race Relations in Hawai‘i During World War II: The Non-internment of Japanese Americans,” *Amerasia Journal* vol. 26, no. 2 (2000): 133.

Throughout the early history of the Japanese in the islands, this dual-system of justice demanded little accountability from whites for their actions and effectively reinforced white control on the plantations. Yet as the Japanese population continued to grow and as the Japanese themselves moved into other areas of labor and found organized means of resistance within the Japanese community, Hawai'i's dual-system of justice increasingly came under attack. When this system became inadequate, the wartime fears of the Japanese were used as the justification for the institution of martial law—which only thinly veiled the discriminatory practices directed mainly at the Japanese population. Long standing racial fears found expression in a tense atmosphere in the early days of World War II that led to the brutal and dehumanizing internment of nearly 1,500 Japanese in the islands.

These fears of the Japanese in Hawai'i originated as early as the 1920s and 1930s, when tension between the United States and Japan increased as the two countries contended for control over the Pacific region.¹⁰ When Japan decided to retaliate against United States economic sanctions in 1941, Japan's militaristic regime directed Admiral Isoroku Yamamoto, Commander of the Japanese Combined Fleet, to launch the opening assault on American forces. Yamamoto decided to employ the stratagem used by his idol, Admiral Heihachiro Togo, in a surprise attack on Pearl Harbor. On December 7, 1941, the Japanese forces attacked the American fleet in Pearl Harbor's Battleship Row and the

¹⁰ From the latter part of the nineteenth century, Japan was engaged in a process of modernization and industrialization. As Japan modernized, militaristic leaders sought increasing control over Asian and Pacific areas that culminated in an undeclared war with China. This led to the Manchurian Incident on September 18, 1931, when Japanese forces seized control of Manchuria. The rest of the western world, and the United States in particular, became increasingly concerned with Japan's militaristic activities as it seemed that China was only the first step in Japan's plans to control the entire Pacific Region. The United Japanese Society of Hawaii, *The History of the Japanese in Hawaii* (Honolulu: The United Japanese Society of Hawaii, 1971), 257.

American planes on the ground at Hickam Airfield. Caught completely unaware by the Japanese bombardiers, American forces were easy targets for the Japanese. By the time the last waves of Japanese planes returned to their carriers, the United States military forces had suffered 3,435 casualties. 188 planes had been destroyed while 8 battleships, 3 light cruisers, 3 destroyers, and 4 other vessels were either severely damaged or completely destroyed. In contrast, the Japanese had suffered fewer than 100 casualties and lost only 5 midget submarines.¹¹ A board of inquiry later called the Japanese attack “the greatest military and naval disaster” in United States history.¹²

Before the outbreak of hostilities between Japan and the United States, anti-Japanese suspicions had already been circulating throughout Hawai‘i.¹³ When the Japanese forces devastated the American fleet on December 7, many blamed Hawai‘i’s Japanese for the Pearl Harbor defeat and rumors spread like wildfire throughout the community. According to some, covert activity by Hawai‘i’s Japanese had undermined the defense capabilities of the United States military, and many believed Japanese plantation workers had cut huge arrows in the cane fields to direct Japanese planes to Pearl Harbor. Other rumors claimed that the Japanese community had received prior notice of the Pearl Harbor attack through coded newspaper advertisements, and that the

¹¹ Roland Kotani, *The Japanese in Hawai‘i: A Century of Struggle. The Official Booklet of the Oahu Kanyaku Imin Centennial Committee* (Honolulu: The Hawaii Hochi, Ltd., 1984), 80.

¹² Ibid., 80.

¹³ Suspicion of the Japanese in Hawai‘i began with the first large-scale immigration of Japanese laborers in 1868. The large number of immigrating Japanese increased the concerns of whites living in the islands of an Asian invasion, mirroring fears of the “Yellow Peril” with the Chinese on the Mainland. Anti-Asian sentiment was heightened after World War I due to the underlying nativism in the United States and an obsessive fear of aliens. As a result, many in the United States and in Hawai‘i became concerned with the “Japanese Problem” in the islands. The Japanese were seen as a military problem in the territory due to the size of the Japanese population in Hawai‘i, their significance in the local economy, and the location of the islands midway to Asia. Moreover, Japanese workers in Hawai‘i’s sugar plantations were becoming increasingly restless, seeking to throw off the yolk of planter hegemony as seen in the strikes of 1909 and

Japanese had poisoned the water supply.¹⁴ Thus, rumors surrounded the Japanese community in Hawai'i, which found itself under the close scrutiny of the military and the larger Hawaiian community. According to an account given by Samuel Lindley, a Quaker who lived in Hawai'i during the war,

A week before Pearl Harbor, I was in Downtown. And I saw on the front of the railroad station...they had set up machine guns. And instead of facing out to the ocean as you might expect, they were facing the street, where they figured the Japanese in Hawaii might attack the railroad station...I saw these and my own inference from the way they were set up [was] that they were expecting some kind of local Japanese uprising. And of course, there were lots of rumors. And the Japanese were suspect.¹⁵

Although they proved to be unfounded, these suspicions created fear and hostility toward the Japanese in Hawai'i.

Prior to the war, a tenuous relationship existed between the local Japanese population and the white elites in the islands, many of whom had close ties to the United States military. The overthrow of the Hawaiian monarchy in 1893 was orchestrated by white planters who were backed by the United States military, as the first step in their plan to incorporate Hawai'i into the United States. The benefits of this plan were twofold: for the planters, statehood would eliminate all tariffs on Hawaiian sugar brought into the United States, while America would gain a strategic military outpost in the middle of the Pacific.¹⁶ However, many Americans worried about the presence of so many

1920. Gary Okihiro, *Cane Fires: The Anti-Japanese Movement in Hawaii, 1865-1945* (Philadelphia: Temple University Press, 1991), 103.

¹⁴ Ronald Tadaki, *Strangers from a Different Shore* (New York: Penguin Books, 1989), 380.

¹⁵ Center for Oral History Social Science Research Institute University of Hawai'i at Manoa, *An Era of Change: Oral Histories of Civilians in WWII Vol. I* (Honolulu: Center of Oral History Social Science Research Institute University of Hawai'i at Manoa, 1994), 70.

¹⁶ Tom Coffman, *A Nation Within: The Story of America's Annexation of The Territory of Hawai'i* (USA: Epicenter, 1998), 91.

“undesirables” in Hawai‘i, particularly the islands’ large population of Japanese, who would be granted American citizenship if Hawai‘i were granted statehood. Nothing revealed the persistence of anti-Japanese sentiment in Hawai‘i among both the white community in general and the United States military in particular during the early part of the twentieth century more than the Jamieson murder and the series of incidents that culminated in the infamous Massie trial. Both incidents renewed fears of a local Japanese population seemingly poised to commit violence against local white elites or military officials if given the opportunity. These events also resulted in calls for increased regulation of the Japanese, as local officials appeared ineffectual and incapable of maintaining control in the islands even within the dual-system of justice being constructed by some white elites. These events ultimately underscored the danger and disloyalty of the Japanese in the islands and the consequent necessity of martial law.

Chapter 2. "A Manhunt for Self": The Jamieson Murder and Japanese Ethnic and Legal Identity in Hawai'i

*"The boy had always been such a quiet boy. He had been steady and industrious and he had studied his American lessons all the time. He was a good boy, the oldest of his family, and his parents depended upon him very much...None of us can realize that Myles, who has always been such a quiet boy, and who has always been a favorite with his mother, has done this thing. No one knowing his quiet nature could suspect him of such a thing and we are very sad."*¹⁷

"With tears on his cheeks," Nobuhiko Fukunaga released this statement to the *Star Bulletin* on behalf of the Fukunaga family, expressing his family's "profound sorrow and despair" for the crime committed by his nephew. Myles Fukunaga's crime had rocked the islands with racial hysteria and reinforced fears of the Japanese. His murder of 10-year-old Gill Jamieson, the son of a prominent local white family, was the first incident that brought into question the loyalty of the local Japanese.

Myles Yutaka Fukunaga, a young 20-year-old *Nisei* living on Oahu, committed the murder. Born February 4, 1909, in Makaweli, Kauai, Fukunaga was a typical soft-spoken Japanese youth growing up in Hawai'i. As the son of a Japanese plantation worker he attended Eleele and Kapaa Schools, where he was reported to be a good student. His family moved to Waialua, Oahu in December 1924, and he graduated from Waialua Grammar School at the head of his class. During the summer he worked in the pineapple fields and when his family moved to Honolulu, both he and his father worked at Queen's Hospital. In March 1928, he was hospitalized for appendicitis and he lost his hospital job. When he recovered in June, he found a job at the Seaside Hotel and gained a

¹⁷ "Parents Voice Deepest Regret For Occurrence," *Honolulu Star Bulletin*, 24 September 1928, 1.

reputation as a hard worker. Fukunaga, however, had greater aspirations and wanted to continue his education. As Fukunaga explained: "The one thing I wanted to do when I was going to school was to write books. I love books. In school I was always reading adventure books."¹⁸ But his family, living in a small house near the corner of Beretania and Alapai Streets, needed the income that he as the eldest son could provide working rather than reading. Robbed of his education and working at jobs that paid him \$40 per month, \$35 of which he would give to his mother, Fukunaga saw his dreams for the future slipping away.

In March 1928, before he was hospitalized at Queens for appendicitis, Fukunaga had attempted suicide but had failed miserably. Worse, however, his actions had shamed his parents and he felt a need to achieve honor and thus redeem himself in front of his parents. "My idea," Fukunaga said later, "was to help my parents. I had to have money to do that. In the years my family has been in Hawaii no luck has been with them...nothing but hardships and troubles. They have always wanted to go back to Japan."¹⁹ With this goal in mind, Fukunaga began to formulate plans to bring prosperity to his family and long awaited happiness to his parents.

While he was at home recuperating from his operation in March, a representative of the Hawaiian Trust Company came to collect rent on the house. Despite his mother's explanation and pleas to delay the collection of the rent until her son had recovered and began working again, the representative refused to listen. After he left, his mother went to be alone in her bedroom. "I remember my mother crying often," Fukunaga recalled. "The

¹⁸ R. P. White, "Boy Committed Crime to Bring Happiness to Poor Parents, He Says," *Honolulu Star Bulletin*, 24 September 1928, 1.

¹⁹ *Ibid.*, 1.

collectors here have always come and my mother cries. My people are very sensitive—
[they] don't show it outside, but in their hearts...they feel very bad.”²⁰

Because he had been ill, Fukunaga again believed he had failed his parents with his inability to support them, as was Japanese tradition. Fukunaga began to formulate plans for revenge against the Hawaiian Trust Company while at the same time earning enough money to allow his parents to return to Japan. He visited the State Library daily, researching the Leopold and Loeb kidnapping and murder case on the mainland that occurred in the early twenties, as well as the recent Hickman case in Los Angeles.²¹ He made maps of Manoa Valley, focusing on the home of his intended victim, Frederick Jamieson, Vice-President of the Hawaiian Trust Company. According to Judge W.H. Heen, who researched the details of the case, Fukunaga “figured out that Jamieson, as a vice president of the company must have ‘a lot of money’ and decided to try to get it. Apparently he had looked up the directorate.”²² When he began formulating plans for a kidnapping, he called up Mrs. Jamieson and represented himself as an employee of the

²⁰ Ibid., 1.

²¹ In the late spring of 1924, two University of Chicago students, Nathan Leopold and Richard Loeb, were arrested and charged with the kidnapping and murder of 14-year-old Robert Franks. The students, who were from prominent families—Nathan Leopold was the son of the millionaire president of the Fibre Can company and Richard Loeb's father was the vice-president of Sears Roebuck & Co.—confessed that they committed the crime not for the ransom of the boy, but rather for the exhilaration of planning and executing “the perfect crime.” Three years later, another sensational crime seized the nation when nineteen-year-old William Edward Hickman went to a public school in Los Angeles and told the teacher that eleven-year-old Marian Parker's father had been injured by in an automobile accident and wanted his daughter to come home. Marian left with Hickman and three days later, December 17, her father received notes demanding a huge ransom fee. Wishing to get his daughter back alive, Mr. Parker took the fifteen \$100 dollar bills demanded and handed them over to Hickman. After receiving the ransom the Hickman drove away. As he left, he tossed a part of Marian's body at the distraught father's feet. When he was caught, Hickman was tried and found guilty of kidnapping and first-degree murder. He was convicted February 9, 1928, and executed at San Quentin on October 19, 1928.

Irving Younger, ed., *State of Illinois v. Leopold and Loeb* (Minnetonka, Minn.: Professional Education Group, 1988), 1.

²² “Fukunaga Did Not Know Boy Victim Before His Crime,” *Honolulu Star Bulletin*, 24 September 1928, 2.

Board of Health in order to ask for details of the family. After learning she had one son, Gill, he conceived of a scenario where he would go to Punahou School and kidnap the boy. He then moved out of his parents' home on Beretania and Alapai and rented a room in the Serene Hotel in downtown Honolulu.

On Tuesday morning, September 18, 1928, Myles Yukata Fukunaga awoke in his rented hotel room at 5:30 a.m. and read the *Star Bulletin* and *Honolulu Advertiser* as was his habit. At eight o'clock he left his room at the Serene Hotel and went to a nearby café for breakfast. However, he was too nervous to eat and could only consume a small portion of the meal. Later he searched out a phone on Beretania near Smith Street and called Punahou School and talked to Miss Jean Winnie, the chief registrar. Speaking in a heavily accented voice that sounded German or French, he told Winnie that Gill's mother had been injured in an automobile accident and that a hospital orderly would be sent to pick him up immediately. According to Winne, it was not uncommon for parents to telephone the school to send chauffeurs and there was nothing in the message to arouse her suspicions even though when she asked about the extent of Mrs. Jamieson's injuries the voice seemed uncertain and said she would have to ask the doctor.²³ After Fukunaga made the phone call, he went to a taxicab stand and hired a brown Packard driven by M. Yoshioka. Fukunaga was wearing a white jacket and pants so as to resemble a hospital orderly, and he wore dark glasses to disguise his face. He spoke fluent Japanese to Yoshioka, who drove Fukunaga to Punahou School. As they drove onto the school grounds at 10:00 a.m., the children were already back in the classes and none of them

²³ R. P. White, "Boy Committed Crime to Bring Happiness to Poor Parents, He Says," *Honolulu Star Bulletin*, 24 September 1928, 3.

saw the car, its license, or Fukunaga. When Fukunaga entered the attendance office, he met with Miss Mary Winnie, the principal, who had already been informed of the accident.

When Gill Jamieson arrived, Myles led him to the waiting taxi and they both got into the back seat. The Packard exited through the main entrance of the school at Punahou and Wilder Streets, and as it traveled through the streets of Moilili, heading towards Kalakaua Avenue and Waikiki, Fukunaga tried to converse with Gill. These friendly advances were ignored as the boy seemed concerned only about the welfare of his mother. The taxi stopped at the entrance of the Royal Hawaiian Hotel, where the passengers disembarked. The Jamieson boy became nervous and apparently frightened as this was clearly not the hospital, but Fukunaga reassured him that this was where the automobile accident had occurred and his mother was there waiting for him. They crossed Kalakaua Avenue and entered the grounds of the Seaside Hotel, Fukunaga having informed the boy that this was a shortcut. At the rear of the Seaside Cottages, near the Ala Wai canal, Fukunaga led Jamieson through a dense thicket of *kiawe* and undergrowth. Here Fukunaga had prepared a “den,” a hollowed-out place in the ground beneath a palm tree, fenced in on all sides by *kiawe* trees. At 11:15 a.m., nearly one hour after the abduction, Fukunaga struck Jamieson on the head with a tempered steel chisel, at which time the boy screamed and started to struggle. Two more blows were struck before the boy was knocked unconscious and fell to the ground. Fukunaga wrapped his hands around the boy’s throat and strangled him.

Several hours had now passed since Jamieson had left the school. At about 1:30 p.m., a 15-year-old Filipino messenger from the Territorial Messenger Service, Alfred

Reyes, delivered a letter that he had received from a Japanese youth at the Nuuanu Y.M.C.A. It was addressed to Frederick Jamieson, Hawaiian Trust Co.²⁴ The letter was written on two sheets of stationary in ink, signed by the mysterious "Three Kings" who demanded a ransom of \$10,000 in exchange for Jamieson's son.

The father frantically phoned his home and had his worst fears confirmed: his son had been taken from Punahou School by a Japanese male in white clothing and dark glasses posing as a hospital orderly. Frederick Jamieson then called the McDuffie International Detective Agency to employ Arthur McDuffie to find his son. In compliance with the letter's instruction for secrecy, the police were not informed.

However, news of the kidnapping could hardly be contained in the close-knit community of Manoa Valley, where fearful husbands and fathers organized search teams to investigate the area. The police were informed of the kidnapping but at the vigorous insistence of Jamieson all overt activity ceased. That night Fukunaga arranged for a drop of the money at Thomas Square, but according to eyewitnesses he "lost his nerve" and only collected \$4,000 of the \$10,000 ransom before he fled.²⁵

In short order, the secret of the Jamieson boy's kidnapping leaked and became terrifying news that swept through Honolulu as rumors spread throughout the city. One Kaimuki resident believed she heard screams from a child "which was either in pain or in fright and which was a passenger in a speeding automobile."²⁶ Numerous accounts of similarly "suspicious" activities were reported to the police although none provided any

²⁴ "Letter Sent Jamieson Demands \$10,000 For Return of Young Son," *Honolulu Star Bulletin*, 19 September 1928, 1.

²⁵ "Believe Three Men Involved in Kidnapping," *Honolulu Star Bulletin*, 19 September 1928, 1.

²⁶ "Woman Hears Child Scream As Car Passes," *Honolulu Star Bulletin*, 19 September 1928, 1.

details on the kidnapping. The *Honolulu Star Bulletin* ran a special edition that hit the streets at 11:00 p.m., with photographs of Gill Jamieson and a list of the serial numbers of the ransom money to aid those who sought the boy and the "Three Kings."

Honolulu had witnessed horrible crimes before, but paranoia had never reached the scale that accompanied the Jamieson kidnapping. The island's white oligarchy that dominated pre-World War II Hawai'i was shaken by the brash kidnapping of a white boy whose father was the vice-president of a prominent company. Particularly threatening was the possibility that the Japanese might be behind this crime, as the ransom letter was believed to be written by "an oriental hand."²⁷ The Three Kings became a symbol of terror in Honolulu as the population awaited news of the Three Kings and any Japanese suspects.

The Honolulu police force, however, was ill-equipped to deal with a crime of this proportion, particularly since racial tensions had ignited. The authorities believed that the Three Kings constituted part of a larger crime ring and that what was needed was an extensive house-to-house search of Honolulu. To accomplish this, organizations were asked to enlist members to join in the search. Private citizens were deputized at the downtown National Armory Headquarters and posses were formed to search homes, valleys, vacant lots, or backyards in hopes of finding clues that would lead to the arrest of the suspects and the location of the boy. The President of the Hawaiian Trust Company offered a sum of \$5,000 in reward for Gill Jamieson, while officials of the Japanese consulate offered their assistance in the search for the missing boy.²⁸

²⁷ "Ransom Note Written by an Oriental Hand," *Honolulu Star Bulletin*, 19 September 1928, 1.

²⁸ "Japanese Consular Officials Will Aid in Jamieson Hunt," *Honolulu Star Bulletin*, 19 September 1928, 1.

Among the groups that joined the search beginning Wednesday morning, September 19, were the McKinley Boy Scouts, 20,000 school children released from school and led by Reserve Officer Training Corps (ROTC) cadets from Punahou and Kamehameha Schools, the American Legion, and every civilian group in Honolulu. The Army and Navy also joined the search, and in the sky a single available plane scanned Oahu from Waianae to Makapuu. As evening drew near, however, there was no news of the boy or the Three Kings. In desperation, some leaders in the community expressed their belief that the civil authorities were ineffective. At Pier 2 that evening, a group calling themselves the Vigilante Corps, and chaired by John A. Balch, discussed what actions should be taken to arrest the culprits and recover the boy.

In every sense, Honolulu had become a town populated by hysterical men and women fearing for their children's safety. Armed vigilantes roamed the town. No resident could travel the streets without having to pass roadblocks set up at major intersections, such as the ones at Puuloa Road and Kamehameha Highway and Nuuanu and Wyllie Streets. The Police Station was inundated with calls reporting possible clues and suspects. Harry Kaisan, the Japanese ex-chauffeur of the Jamieson family, was arrested for possibly being one of the Three Kings. He was detained and considered a prime suspect in the kidnapping as, according to a handwriting expert at Bank of Hawaii, Kaisan's penmanship was the same as in the ransom letter. In addition, the police administered a "truth serum" to him, and from Kaisan they allegedly elicited a confession that was later

recanted.²⁹ Despite hours of grueling interrogation each day, Kaisan insisted that he was innocent and had spent the day playing poker at a pool hall.³⁰

On Thursday morning, the *Star Bulletin* received a cryptic letter from the Three Kings, verified by the enclosure of a \$5 bill identified as part of the ransom money. It read:

To Whom it May Concern,

As a result of our recent exploits, we "Three Kings" find the community all agog and in a state of suspense and terror for the lost lad. To relieve it we have decided to clear just a part of the mystery.

Mas. Gil Jamieson, poor innocent lad, has departed for the Unknown, a forlorn "Walking Shadow" in the Great Beyond, where we all go when the time comes.

Circumstances prevent us from giving full information in regard to the boy's whereabouts. As to ours, we'll leave the many detectives to apprehend us. When the "pests" fail to do that, we will, as God's in Heaven, reveal ourselves to the light of justice. When? Life is short when thoughts of leaving it come to you. The day shall be on the 25th exactly a week after the crime has been committed when we promise to mount on the scaffold of sin to plead guilty and the death penalty we are to receive.

Meanwhile we hope that God will watch over us as he has done during our adventures in crime. We are bad, bad and we'll let Him decide whether we shall be caught before hand. We will not complain but accept his wishes as they befall us.

The wrong cannot be righted now. We only regret that we have brought sorrows to the parents of the boy and to the community in general.³¹

With this letter, the community's terrorized fears found confirmation: the Jamieson boy had without a doubt been murdered. The hysteria in Honolulu reached a new high point

²⁹ "3 Still Held by Police, 4 in Oahu Prison," *Honolulu Star Bulletin*, 21 September 1928, 1.

³⁰ "Harry Kaisan Held; Wrote Letter, Claim," *Honolulu Star Bulletin*, 19 September 1928, 1.

³¹ Dennis M. Ogawa, *Jan Ken Po: The World of Hawaii's Japanese* (Honolulu: University of Hawai'i Press, 1973), 130.

and all Japanese were now under suspicion. More Japanese besides Harry Kaisan were brought in for questioning. Kazue Nakamura, who protested that he knew nothing about the kidnapping, was arrested as the man who gave Alfred Reyes the letter in the Nuuanu Y.M.C.A. Police were convinced that Nakamura had something to do with the kidnapping, as in his room they found what appeared to be a battle plan for an attack on Pearl Harbor. A Japanese boy mailing a letter at the Waikiki Tavern was arrested as a possible suspect even though he pleaded to the arresting officers that reading his letter would prove his innocence. Two young Japanese calling on a friend who worked at the home of a wealthy white family were chased by the watchmen and arrested for their suspicious behavior. As the community continued to search for the boy, all eyes scrutinized the Japanese community to see what it was doing to help out in the Jamieson kidnapping case.

When the news of the kidnapping initially broke, one of the first groups to volunteer in the search for the boy was the Japanese Taxi-Cab Drivers Association, which provided automobiles and manpower. The Japanese donated a collection taken by the Honolulu Chamber of Commerce to provide a reward for persons helping in the arrest of the Three Kings. The Japanese Students' Alliance in Hilo sent condolences to the Jamieson family while the Japanese Consul General profusely apologized to the people of Honolulu on behalf of the "Japanese race." The Japanese Chamber of Commerce announced that "being the duty of every citizen and every resident of the Territory of Hawaii to rise to this occasion, it is urged that every Japanese resident cooperate and

strive to locate the missing boy, Gill Jamieson.”³² Oddly, even Myles Fukunaga volunteered in the search for the Jamieson boy, but his help was rejected because of his “extremely small size and ‘youthful appearance.’” As the *Honolulu Star Bulletin* later ironically noted in its headline, “Fukunaga Tried to Join in Manhunt for Self.”³³

One of the most active searchers was Fred Makino, editor of the *Hawaii Hochi*, a Japanese-language newspaper in the islands. Working from his office, receiving clues, and investigating tips that were called in to him, Makino believed that the Japanese community—to distance itself from the crime and destroy the image of the crime being racially motivated—should take the lead in the pursuit of the criminals. In fact, Makino believed that the kidnappers were not Japanese at all, but were Filipinos. He himself patrolled Filipino residential areas looking for suspects.³⁴

The Japanese were so anxious to prosecute the guilty parties that when ex-chauffeur Harry Kaisan was finally released because of his lack of connection to the crime, he demanded police protection. Kaisan felt he needed to be in police custody because the Japanese community suspected him. Until his innocence could be clearly proven and the hysteria calmed down, Kaisan wished to stay in the Oahu prison, living in the guards’ cottages.

The *Star Bulletin* and the Mayor of Honolulu, Charles Arnold, had good reasons for insisting throughout September 19 and 20 that the Jamieson kidnapping was not a racial crime. Even though the Three Kings were most likely Japanese, and Japanese were among the primary suspects being arrested, the kidnapping had already instigated

³² Ogawa, *Jan Ken Po*, 132.

³³ “Fukunaga Tried to Join in Manhunt For Self,” *Honolulu Star Bulletin*, 24 September 1928, 1.

³⁴ Ogawa, *Jan Ken Po*, 132.

possible race riots and racial attacks as Honolulu residents literally panicked.

According to historian Dennis Ogawa, “the situation demanded tight control over the rampant forces of racial hostility so that despite the threatening situation, the illusion of racial tranquility could be maintained.”³⁵ For the first time, some in Honolulu offered suggestions about invoking martial law both to calm fears about further kidnappings and to control the lawlessness pervading Honolulu. Governor Wallace R. Farrington discouraged this idea and instead presented the kidnapping of young Gill Jamieson as a police rather than a military problem.³⁶

The tension infecting Honolulu finally lifted at 11:15 a.m. on Thursday morning, when Carl Vickery, part of a search team, found the body of the missing ten-year-old boy in a small glade near the Ala Wai canal opposite the Royal Hawaiian Hotel. His body was found neatly laid on a small mat of old gunny sacks. His chest and face were covered with old issues of the *American Weekly* newspaper, over which lay three palm fronds. The boy was still clothed in the same shirt and trousers he had had worn when he disappeared the previous Thursday morning. A crude cross made from sticks and tied together by white string was placed over the body. In the boy’s outstretched left hand was a rough copy of a poem, “Immortality,” by Spencer McGann. On a piece of cardboard was scrawled the following message:

If you want to die, have you the right to kill others
so that you in turn will be killed?
It is for you to decide.
Tomorrow, and tomorrow and tomorrow.
“Creps (creeps) this petty pace from day to day and
all our yesterdays—fools the way to dust death-out, and

³⁵ Ogawa, *Jan Ken Po*, 131.

³⁶ “Martial Law Will Not Be Declared Yet,” *Honolulu Star Bulletin*, 20 September 1928, 3.

brief candle, life is just a mere shadow—a poor player
that frets and struts his hours upon the stage and then is
heard no more—It is a tale told by a idiot, flesh of
sound and fury signifying nothing. Three Kings.
KKK.³⁷

Between Gill Jamieson's legs was the book *Father's Gone A-Whaling*, which he had rushed to the library to borrow before he was picked up by the hospital attendant to take him to his mother's side. On Friday, Gill Jamieson was buried in a Nuuanu cemetery at a ceremony attended by hundreds. Telegrams from cities all over the world arrived in Honolulu with condolences for the Jamieson family. A small wreath of flowers was delivered to the burial site with a card signed, "The Three Kings."³⁸

After Fukunaga purchased the flowers for the Jamieson boy's grave, he went to the main depot of the Oahu Railway and Land Co. and bought a one-way ticket to Waialua. For reasons only known to himself, he left Honolulu Saturday morning for Waialua and spent the day walking the streets. While eating lunch at a local store, he even engaged in a conversation with a group of Waialua boys gathered to talk about the murder case. "What's the latest on the Jamieson murder?" Fukunaga asked the group. "Nothing new," was the answer and the conversation drifted into what the different members of the group would do to the murderer if he were caught. Later Fukunaga bought a return ticket to Honolulu with one of the ransom bills and complained to the agent that news of the Jamieson case was slow in getting to Waialua. "Why can't you get the newspapers out here quicker?" he demanded.³⁹

³⁷ Ogawa, *Jan Ken Po*, 133.

³⁸ Ogawa, *Jan Ken Po*, 136.

³⁹ "Killer Visited The Scenes of Happier Days," *Honolulu Star Bulletin*, 24 September 1928, 1.

The ticket agent quickly recognized the bill that Fukunaga gave him from the list of serial numbers published in the *Star Bulletin*. Since Fukunaga was known in Waialua, the police in Honolulu were immediately informed that it was possible that Fukunaga was involved with the Three Kings. With this information, police visited the Fukunaga home at Beretania and Alapai Streets and searched Fukunaga's room. The maps of Manoa were found as well as other evidence referring to the Three Kings. On Sunday morning, Fukunaga was apprehended by police officers as he exited a movie at the State Theater. Fukunaga immediately confessed to the crime and was taken into custody. A mob waited for him once news spread that the Three Kings had been caught.

Mr. and Mrs. Jusuke Fukunaga were deeply shamed by their son's actions. At first they could not believe that their son had been accused of such a horrible crime. As evidence emerged about his guilt and as he himself confessed, however, they felt despair and humiliation. On the day of his arrest, his parents ran the following announcement in the *Star Bulletin*: "Mr. and Mrs. Jusuke Fukunaga, parents of Myles Fukunaga, want to express their profound regret for the terrible thing that has happened, and their deepest sorrow for the trouble and anxiety their son has caused the entire community. To Mr. and Mrs. Frederick Jamieson, they offer their deepest sympathy in this, their hour of bereavement."⁴⁰

The court system of Hawai'i moved quickly to prosecute the case against Fukunaga. On the Monday after his arrest, Fukunaga was indicted by the Grand Jury for first-degree murder. The population of Honolulu and the newspapers pushed for the death penalty and the Vigilante Corps continued its efforts to revamp Hawai'i's laws, which

⁴⁰ "Parents Voice Deepest Regret For Occurrence," *Honolulu Star Bulletin*, 24 September 1928, 1.

required a short waiting period before sentencing and execution; they wanted an immediate hanging. By the end of the week, Fukunaga had two court-appointed attorneys and the trial began on October 3. The defense called no witnesses during the trial and the jury had reached a verdict by October 5. On October 8, Judge Alva E. Steadman read his sentence: Myles Fukunaga was to be hanged as punishment for the kidnapping and murder of Gill Jamieson. Upon hearing the verdict, Fukunaga thanked the court and jury for their kindness, courtesy, and swift justice.

Though Fukunaga was pleased with the rapidity of the trial and sentencing, the Japanese community that had actively helped to find him was infuriated. The boy had been charged, tried, convicted, and sentenced to first-degree murder in less than two weeks. A proper defense was not prepared and justice was apparently sacrificed to appease the demands of the influential white segment of the community. Although Fukunaga constantly reiterated “I am not insane,” the evidence was overwhelming that this young man was seriously deranged. The court and the governor of Hawai‘i had refused to allow Fukunaga to have a psychiatric examination. He had openly confessed, the courts argued, he knew right from wrong, he realized the gravity of his crime, and he accepted his fate.

The Japanese community, however, refused to remain passive. First, a fund was started to send Fukunaga’s parents back to Japan eventually, to escape the horrible shame they felt in Hawai‘i. Numerous leaders in the community—from business proprietors and priests to teachers—signed a petition demanding the retrial of Myles Fukunaga and a

proper medical examination of him.⁴¹ Various community meetings were held to discuss the possibility of a retrial and Fukunaga's fate.

The Hawaii Hochi under Fred Makino began to blast the white newspapers and the white community for the obvious racial bias against Japanese defendants. The Japanese newspaper cited the fact that the legal cases involving Japanese committing a crime were not handled the same way as when whites were charged. Just recently the *Hochi* had complained when a Japanese taxi cab driver, Matsumiya, was brutally murdered by a white man with political influence. Instead of a death sentence, the defendant was later pardoned for the crime. An editorial written in *The Hawaii Hochi* stated:

How about the Japanese taxi driver who was beaten to death with a hammer in the hands of a husky haole a few years ago? Did the Star Bulletin raise the blood-cry then? Did it demand death for the slayers of Matsumiya? When it was a Japanese who was the victim the story was scarcely worth writing about. There was no editorial indignation over the delay in bringing a Haole to justice, and no protest when, after a few years, he was pardoned by a complacent governor at the request of some of his influential friends. The Star Bulletin did not unleash its editorial blood-hounds upon the trail of the paroled prisoners who shot down in cold blood an 'innocent and defenseless' old Chinese store-keeper, without even the excuse that it was necessary in order to rob him or to make a get-away!⁴²

After the Matsumiya and Fukunaga cases, the *Hochi* openly charged that a "dual-system of justice" existed in Hawai'i that privileged whites at the expense of the Japanese and

⁴¹ (At the request of the Hawai'i State Archives, I have used the citation that is on file to identify each document using their system.)

Hawai'i State Archives. Folder 203. RECORD OF QUASI-JUDICIAL EXECUTIVE ACTIONS. Record of Gov., Terr. Of Hawai'i, Re: Quasi-Jud. Ex. Actions Death Warr., Repriv., Re Docs.: Myles Yukata Fukunaga 1929, November 1930.

⁴² Hawai'i State Archives. Folder 203. RECORD OF QUASI-JUDICIAL EXECUTIVE ACTIONS. Record of Gov., Terr. Of Hawai'i, Re: Quasi-Jud. Ex. Actions Death Warr., Repriv., Re Docs.: Myles Yukata Fukunaga 1929, November 1930.

other ethnic groups. In an editorial published on November 7, 1929, the *Hochi* argued that "IF MYLES FUKUNAGA IS HANGED IT WILL NOT BE BECAUSE HE KILLED A HUMAN BEING...IT WILL BE BECAUSE HE KILLED THE SON OF THE VICE-PRESIDENT OF ONE OF OUR BIG TRUST COMPANIES AND BECAUSE HIS VICTIM WAS A WHITE BOY."⁴³ These statements and others made by the *Hochi* were seen as so inflammatory by certain white elites that the Office of the Attorney General drafted a legal analysis of the effect of these statements that was sent to both the Attorney General and Governor Lawrence M. Judd.⁴⁴

In addition to citing recent racially-based disparities in sentencing, the *Hochi* went further to prove beyond a reasonable doubt that Fukunaga was insane. The paper cited the ransom letter and the way that the boy's body had been found. It enlisted the aid of psychologists at the University of Hawai'i and Dr. J. C. Thompson, the Senior Medical Officer for the Navy at Pearl Harbor, who agreed that Fukunaga was insane. It was reported that Fukunaga's great-aunt had died in an insane asylum, and it was also rumored that a strain of insanity existed on his father's side of the family.

The impetus behind the Japanese community's efforts to prove Fukunaga's insanity was very simple. If an evidently typical and well-behaved Japanese youth like Fukunaga were truly sane, then by implication any Japanese could commit a brutal crime. If he were insane, however, the community's responsibility and collective guilt could be

⁴³ Hawai'i State Archives. Folder 203. RECORD OF QUASI-JUDICIAL EXECUTIVE ACTIONS. Record of Gov., Terr. Of Hawai'i, Re: Quasi-Jud. Ex. Actions Death Warr., Repriv., Re Docs.: Myles Yukata Fukunaga 1929, November 1930.

⁴⁴ Hawai'i State Archives. Folder 203. RECORD OF QUASI-JUDICIAL EXECUTIVE ACTIONS. Record of Gov., Terr. Of Hawai'i, Re: Quasi-Jud. Ex. Actions Death Warr., Repriv., Re Docs.: Myles Yukata Fukunaga 1929, November 1930.

absolved and assuaged. At stake was not just the fate of Myles Fukunaga, but also the image of the Japanese community. For one year Fukunaga waited through a series of unsuccessful court appeals encouraged and financed by the Japanese community. In one final appeal, the Supreme Court ruled that Fukunaga had a fair trial and the justices would not reopen the case. His execution was to be carried out as prescribed by law. On November 19, 1929, Myles Yutaka Fukunaga walked to the hanging platform that was released at 8:10 a.m. His body hung for 12 minutes before doctors pronounced him dead, ending a tumultuous year for his family and the rest of the Japanese community.

The case of Myles Fukunaga not only shattered the illusion of racial peace and aloha within Hawai'i's multi-ethnic community, but also revealed the existence of a dual-system of justice in Hawai'i. Whites were privileged at the expense of minorities, such as Japanese, who were regarded with mistrust and suspicion. The Fukunaga case also highlighted the perceived ineptitude of the Honolulu Police Force which was unable to locate the murderer despite thousands of hours of manpower and resources dedicated to the case. To many, this suggested that the military would be more effective in keeping law and order rather than local officials. A break in the case was finally made through the efforts of the local newspaper, which published the serial numbers on the ransom bills that were used to identify Fukunaga. Finally, the murder of Gill Jamieson seemed to reinforce the perception that Japanese were a dangerous element in the community. If given the opportunity, they presumably would inflict violence on the white elite.

However mentally unbalanced Myles Fukunaga may have been, his crime in some ways did contribute to his "manhunt for self." His search for self, for a strong Japanese identity, came through a violence that was threatening to both the white and Japanese

communities. Fukunaga perhaps recognized the dual-system of justice in Hawai'i for Japanese—or at least for his class of Japanese. He sought his sense of self through revenge against white capitalist control as represented by the Jamieson family and the Hawaiian Trust Company. These dangerous or subversive elements to his case made Fukunaga troublesome for whites and for more economically and politically secure members of the Japanese community. Fukunaga made the dual-system of justice for Hawai'i become visible, not just in his trial and hanging but also in his motives for the crime. Consequently, both white and Japanese leaders used Fukunaga's "manhunt for self" to promote competing discourses about justice in Hawai'i. Both groups feared the rationale for Gill Jamieson's murder and attempted to quash notions of violence against whites as an appropriate response by Japanese to Hawai'i's dual-system of justice—and economics.

This frightened concern among whites that Japanese residents might more frequently resort to violence against them had particularly severe consequences over time. This fear had become so pervasive during the Jamieson case that for the first time the possibility of imposing martial law emerged in the islands as a way to maintain white hegemony and order. Just a few years later, Honolulu again witnessed a crime that raised suspicions about the local Japanese population. The Massie rape and trial renewed demands for law and order and exacerbated fears of the Japanese in Hawai'i.

Chapter 3. Containing “Alien Blood” and the “Darker Stained Races”: Hawai‘i’s Whites Establish Extra-Legal Precedents in the Massie Case

“I told him they had driven down the Ala Moana to those bushes. Chang and Kahahawai dragged me out and Kahahawai hit me. They took me into the bushes...I told Tommy later that they had raped me and that Kahahawai had broken my jaw. He hit me as hard as he could. He would not let me pray...[The other men] were standing around laughing. One was holding my arm and the other one assaulted me too.”⁴⁵

With this testimony given by Thalia Massie, a Navy wife who claimed she was raped by a group of local men, Hawai‘i was plunged into the midst of a national media frenzy that exacerbated white fears of the local population in Hawai‘i. “The Massie Case” remains one of the most notorious criminal incidents in the modern history of Hawai‘i, especially as it reinforced suspicions about ethnic groups in Hawai‘i generally, and the Japanese in particular. In addition to receiving significant local coverage, the case became front-page news on the mainland and riveted a national audience. Associated Press editors in 1932 voted it, along with the Lindbergh baby kidnapping, the biggest criminal case in the country.⁴⁶ In part, this interest was due to the greater communication networks and new technologies that linked Hawai‘i to the continent in ways not possible before. The intriguing drama unfolding in the islands during the 1930s introduced many Americans to Hawai‘i for the first time and helped to disseminate nationally Hawai‘i’s white racist views of Japanese.

⁴⁵ “Wife of Officer Weeps as Events of Sept. 12 Are Recounted in Trial,” *Honolulu Star Bulletin*, 20 April 1932, 1.

⁴⁶ Charles Honce, “Massie Trial Ranked 9th in News of the Year,” *Honolulu Star Bulletin*, 2 January 1933, A-1.

The series of events that would culminate in the Massie Trial began on Saturday night, September 12, 1931. Horace Shomatsu Ida, a young Japanese-American, had obtained the loan of his sister's Ford Phaeton and left home in search of a good time. At a Filipino speakeasy, he ran into his fellow Japanese friends David Takai and "Buster" Seki. Ben Ahakuelo, a Hawaiian friend from their neighborhood and football team, soon joined them for a few beers. Ahakuelo knew that another neighbor of his, Sylvester P. Correa, was having a luau to celebrate the marriage of his daughter Beatrice. As a Supervisor of the City and County of Honolulu, Correa was expected to throw a large party where drinks would be served. Ida, Takai, Ahakuelo, and Seki were acquainted with Correa's son, "Doc," and decided to attend the luau for the time being. When the party died down a bit, the group then went to the Aloha Amusement Park in Waikiki where there was a Saturday night dance in progress. Takai and Ahakuelo were more enthusiastic about the dance than Ida, so Ida dropped them off at the Aloha Amusement Park, intending afterward to drive around town with his sister's car.

Ida and Seki eventually wound up back at the Correa luau, where they ran into two more friends: Joe Kahahawai, a full-blooded Hawaiian and like Ahakuelo a well-known football and boxing champion, and Henry Chang, who was of Hawaiian-Chinese ancestry. As the dance at the Aloha Amusement Park seemed to be the best bet for fun at the moment, the four set out in Ida's sister's car for Waikiki. By the time they arrived at the park, it was 11:30 p.m. and the dance was scheduled to end at midnight. Since it did not seem worth the money to pay for admission at such a late hour, Henry Chang obtained a couple of ticket stubs from his friend John Puaaloa who was leaving the dance and taking his date home. Chang and Kahahawai could now enter the dance at no cost.

There they met up with Ahakuelo and Takai. Ida was still in the parking lot where the group later assembled.

It was now almost midnight and people were already leaving the park. Ida decided that the only source of excitement was to see if the Correa luau was still in progress. However, by the time they returned to the luau, almost everyone had left the party. Ben Ahakuelo lived nearby so, after asking Doc Correa if there was any beer left, he walked home. Horace Ida decided to call it a night and drive Kahahawai, Takai, and Chang back to their homes.

When Honolulu Police officers approached Ben Ahakuelo during football practice the next day, early Sunday afternoon, he had little idea why he was being questioned. Ahakuelo had been in trouble with the law before, but this time he saw no reason for immediate alarm. He soon learned, however, that the police had picked up his friends Joseph Kahahawai, David Takai, and Henry Chang at their homes earlier in the day.

Horace Ida was actually the first of the five young men to be questioned. Officers John Cluney and Thurman Black arrived at his home at 2:50 a.m., having received a complaint from Mrs. Agnes Peeples that the Ford touring car Ida was driving had nearly hit her and her husband at the intersection of King and Liliha Streets. Since the 1929 Ford Phaeton was registered to his sister, Horace Ida at first tried to deny that he had been in any trouble earlier that night. Under questioning, though, Ida admitted that on the way home from the Correa luau, a car driven by Mr. Homer Peeples nearly crashed into his sister's car. When the cars stopped, Kahahawai jumped out of the Ford and allegedly yelled, "Get that Goddamn *haole* [white man] out of the car and I'll give him what he's

looking for.”⁴⁷ At that outburst, Agnes Peeples, a large Hawaiian woman, got out of the car, a Hudson, leaving her smaller white husband at the wheel. She pushed the tall Hawaiian and Kahahawai responded by punching her in the mouth. When Homer Peeples started searching for the tire iron in the car to defend his wife, Kahahawai and his friends piled back into Ida’s sister’s car and took off. Agnes Peeples, however, recovered enough to memorize its license plate number: 58-895.

The Peeples immediately reported the incident to the police and police radios after one o’clock all over Honolulu blared with the number 58-895. At 3:30 a.m. that same morning Thalia Massie, a Navy wife from a prominent east coast family, arrived at the police station to report a rape. In her interview with Inspector John McIntosh she was able to provide him with a license number of the car in which she believed she had been abducted: “I think it was 58-805. I would not swear to that being correct. I just caught a fleeting glimpse of it as they drove away.”⁴⁸ The fact that the two numbers differed by just a single digit seemed to connect Ida and his friends to the rape of Thalia Massie. The young men who had been with Ida that night in his car were now the subjects of a rape investigation.

That same Saturday night, Thalia Massie and her husband Thomas Massie had been out at the Ala Wai Inn, where Navy officers and their wives often gathered for “Navy Night.” However, earlier that evening, Thalia had not really been in the mood to go out and had argued at dinner with her husband about it. But Thomas Massie had promised other officers at Pearl Harbor that morning that he and Thalia would join them

⁴⁷ Peter Van Slingerland, *Something Terrible Has Happened* (New York: Harper & Row, Publishers, 1966), 21.

⁴⁸ Pinkerton National Detective Agency, *Ala Moana Assault Case* (New York: N.p., 1932), 19.

and their wives at an informal gathering at the Ala Wai Inn, a Japanese teahouse in Waikiki overlooking the Ala Wai Canal.

The Massies found the inn quite crowded when they arrived, but they were able to secure a little dining alcove. Thalia Massie, according to many in attendance, did not want to be there and managed to get into an argument with Thomas' friend Ralph Stogsdall, who then swore at her. She slapped Stogsdall and separated herself from him and the rest of her husband's friends.⁴⁹ Sometime around 11:30 p.m., she left the inn alone and wandered down John Ena Road.

A little while later, Thomas Massie looked around for Thalia at the inn. Even after not locating her, he decided to stay at that party and not worry too much about the whereabouts of his wife. Later he drove to a fellow officer's house along with Jerry Branson and used the phone to call home. Thalia Massie answered the phone and told her husband, "Come home at once. *Something terrible has happened.*"⁵⁰ When Lieutenant Massie arrived home around 1:45 a.m., he called the Honolulu Police to report that his wife had been assaulted by a group of Hawaiian men. It was Thomas not Thalia Massie who called the police, a fact that prompted some locals to speculate later that perhaps he or some other Naval officer had beaten Thalia Massie and fabricated a story about a "gang of Hawaiians" to tell the police. Questions remained however: Where had Thalia been? What happened to her between 11:30 p.m. Saturday night and 1:30 a.m. Sunday morning? According to the testimony she gave to Inspector John McIntosh within hours of her attack, a car had driven up behind her on John Ena Road and stopped. Two men

⁴⁹ Van Slingerland, 4.

⁵⁰ Van Slingerland, 22.

she believed to be “Hawaiians” dragged her into the car and one put his hand over her mouth. The two held her down in the back seat while she begged them to let her go. The driver drove to the quarantine station on Ala Moana Road where Thalia Massie said she was dragged out of the car and into the bushes. There she said she was “assaulted six or seven times.”⁵¹

After her alleged assault, Thalia Massie wandered down Ala Moana Road in search of help and waved down a passing automobile owned by Mr. and Mrs. Bellinger. When the car stopped to help her, Thalia Massie’s first words indicated how she equated safety with issues of race. Before accepting assistance, she asked the Bellingers: “Are you white people?”⁵² This issue of race continued to play throughout the trial and ultimately culminated in the near beating-death of the Japanese defendant, Horace Ida, and the kidnapping and murder of one of the Hawaiian defendants, Joseph Kahahawai.

The Ala Moana assault trial began on November 18 and went to the jury on December 3, 1931. Presiding over the case was Judge Alva E. Steadman of the first Judicial Circuit of the Territory of Hawai‘i.⁵³ The jury selection that began on November 16 and 17 initiated conflict between territorial officials and the Navy, as the latter preferred an all-white jury: of the twelve men selected there were seven whites (including one Portuguese) and five non-whites. Two of these five non-whites were Chinese-American, two were Japanese-American, and one was Native Hawaiian. Seated in the jury box, these men of color posed a stark contrast to the audience, which was composed

⁵¹ Pinkerton National Detective Agency, *Ala Moana Assault Case* (New York: N.p., 1932), 162.

⁵² Theon Wright, *Rape in Paradise* (Honolulu: Mutual Publishing Co., 1990), 45.

⁵³ Steadman was the same judge who presided over the Fukunaga trial and the different outcomes of each case where Japanese were the defendants revealed some inconsistency within the system. Peter Packer and Bob Thomas, *The Massie Case* (USA: Bantam Books, Inc., 1966), 40.

mostly of white women along with just a few Native Hawaiian and Portuguese women in the back of the courtroom. The territorial prosecutors in the case were two white men, Griffith Wight and Eddie Sylva. They too contrasted ethnically with the lawyers defending the various defendants. Judge William Heen, a part-Hawaiian lawyer who was a former mayor of Honolulu, represented Ben Ahakuelo and Henry Chang. Robert Murakami, one of the first Japanese-Americans to be admitted to the bar in the territory, was assisted by Chinese-American Ernest Kai and represented David Takai. William B. Pitman, a long-time white resident of Hawai'i, represented Joe Kahahawai and Horace Ida—and suggested as well that not all whites in Hawai'i were committed to a system of justice that would disempower ethnics.

In court, Thalia Massie testified that she left the Ala Wai “shortly after 11:30” because she was “bored and tired of the party.”⁵⁴ While on the stand, she pointed to Kahahawai and Chang, indicating that they had dragged her into the car on the night of September 12. She identified the third man in the car as Ben Ahakuelo and said she recognized him in the courtroom by his gold tooth. Thalia Massie identified Horace Ida by the leather coat he was wearing but could not recall David Takai. However, several months before the trial, when asked about her assailants on the night of her attack, Thalia Massie had given a vague description to Inspector McIntosh, stating that her assailants were “Hawaiians, I would say.” In addition, a few other discrepancies emerged from her testimony in court as against her original description of her assault. In the early morning hours of September 13, when she first gave her testimony to police, she had admitted that she had not seen the faces of her attackers and could identify them “only by their

⁵⁴ Theon Wright, *Rape in Paradise* (Honolulu: Mutual Publishing Co., 1990), 51.

voices.”⁵⁵ Jury members and those following the trial transcripts in the local paper noted the discrepancies in her stories. There seemed to be a marked difference in the amount of detail that Massie provided Honolulu detectives on the morning of September 13 and the amount of detail she was now providing during the trial. While some observers reasoned that the trauma might have made her taciturn in the hours immediately after the attack, others found her attention to detail during the November trial to be quite exceptional.

When the Ala Moana Assault Trial ended in a mistrial on December 6, 1931, many members of the white community and the military regarded the decision as a miscarriage of justice. Criticism of the mistrial was widespread and bitter, as many perceived that whites could no longer be protected under the system of justice in Hawai‘i that had once presumably privileged and protected them. The Navy Subcommittee of the United States House of Representatives accused Judge Steadman of delivering to the jury thinly veiled instructions to acquit the defendants.⁵⁶ The Navy’s Admiral Yates Stirling, however, attributed the mistrial to the racial bias of the jury. He stated:

I was informed reliably that the voting of the jury began and remained to the end, seven for not guilty and five for guilty, the exact proportion of yellow and brown to whites on the jury...In Hawaii the majority of every jury will be Asiatic or mixed blood with a sprinkling of Hawaiians and whites. Ordinarily civil justice can be obtained. In this extraordinary case the emotion of the races has been aroused to a pitch where sympathies were in favor of the accused men. Conviction was thus impossible.⁵⁷

⁵⁵ Ala Moana Assault Trial Transcript, Papers of Governor Lawrence M. Judd, Hawai‘i State Archives.

⁵⁶ Masaji Marumoto, “The Ala Moana Assault Case And The Massie Fortescue Case Revisited After Half a Century,” *University of Hawai‘i Law Review* vol. 5 no. 2 (Winter 1983): 275.

⁵⁷ Stirling’s assessment of the jury is inconsistent with figures that are mentioned in other sources. However, this discrepancy may be due to the fact that the definition of “white” in Hawai‘i was similarly diverse as some considered Portuguese as white while others did not. Also some categorized individuals of mixed ethnicities who were predominately white as “white.” Yates Stirling, *Sea Duty: The Memoirs of a Fighting Admiral* (New York: G.P. Putnam’s Sons, 1939), 250.

This charge of jury bias conflicted with the findings of the Richardson Report,⁵⁸ which revealed that juries in Hawai'i rank "even with or better than the usual continental jury."

According to Albert E. Sheets, an assistant United States District Attorney who was a member of the Richardson investigating party:

The jury system was originally primarily to meet the needs of the white man...but in Honolulu it finds itself at the crossroads of humanity's east and west where nearly all oriental races meet, so that in Honolulu the jury system is drafted to accomplish the double purpose of justice not only to the white man but to almost every racial complexion to which the oath, to tell the truth so help him God, is not an oath at all but just his word.⁵⁹

The Naval hierarchy in the nation's capitol shared Admiral Stirling's conviction that the mistrial was a travesty of justice. Admiral William Pratt, Chief of Naval Operations, sent a letter to the Navy Department stating: "American men will not stand for the violation of their women under any circumstances. For this crime, they have taken the matter into their own hands repeatedly when they have felt that the law has failed to do justice."⁶⁰ The alleged rape of Thalia Massie and the resulting mistrial heightened pre-existing antagonisms between the military and the local population that now threatened to boil over and endanger Hawai'i's status as a Territory of the United States. There were

⁵⁸ The attacks on the territory's justice system due to the mistrial resulted in two formal investigations. Pursuant to a resolution adopted by the U.S. Senate on January 11, 1932, the first was conducted by a team appointed by United States Attorney General William Mitchell, and headed by his assistant, Seth Richardson. The resolution called for the Attorney General to report to the Senate regarding the administration and enforcement of the criminal laws of the Territory of Hawai'i and to make recommendations, if any, as to any changes in the Organic Law of the Territory that were deemed desirable for the prompt and effective enforcement of justice. The Organic Act, passed by Congress in 1900 after the annexation of Hawai'i, was the basis upon which the Territory's self-government had been established. The second investigation was conducted by Pinkerton's National Detective Agency Inc., of New York at the request of Governor Judd, who hoped to combat the misinformation circulated on the mainland about the Ala Moana case. Ronald T.Y. Moon, "The Case for Judicial Independence," *Honolulu Star Bulletin*, 24 July 1999, 4.

⁵⁹ Associated Press, "Investigator Praises Jury System Here," *Honolulu Star Bulletin*, 26 April 1932, A-1.

⁶⁰ Masaji Marumoto, "The Ala Moana Assault Case And The Massie Fortescue Case Revisited After Half a Century," *University of Hawai'i Law Review* vol. 5 no. 2 (Winter 1983): 276.

renewed calls for the institution of martial law in Hawai'i as it was seen as a place unsafe for white women and antagonistic to the United States military despite the efforts of the Territorial Government to keep the publicity surrounding the trial as low key as possible.⁶¹ The General Assembly of Kentucky, the Massies' home state, for example, adopted a resolution calling upon President Herbert Hoover to use the power vested in him as Commander and Chief of the United States Army and Navy to demand the convictions of five Hawaiians for the attack upon Thalia Massie. According to the resolution, "[I]f such a result cannot be obtained that the President declare Martial Law in Honolulu until such time as Hawaii can be made safe for women, especially the wives of our men of the Army and Navy, who not of their own volition are stationed in Honolulu."⁶²

Pending retrial of the case, the defendants were released on bail. This situation disturbed Admiral Stirling, who demanded of Governor Judd that the defendants be incarcerated. Judd refused and Stirling reacted by saying: "Knowing that the five accused men were as free as air, I had half expected, in spite of discipline, to hear any day that one or more had been found swinging from trees by the neck in Nuuanu Valley or the Pali."⁶³ That expectation nearly became a reality six days after the mistrial as Thalia Massie's family and supporters decided to take justice into their own hands. On December 12, 1931, a band of Navy men abducted Horace Ida from a nearby speakeasy,

⁶¹ One *New York Times* reporter even asserted that "it was only a matter of time when a prominent white woman would be attacked" due to a "growing list of sex crimes over a long period, an indifferent and inefficient police force, and all the complications of politics which made them inefficient." Russell Owen, "Assault Cases Here Seen As Inescapable Result of Conditions Long Brewing," *Honolulu Star Bulletin*, 26 March 1932, 1.

⁶² Hawaii Legislature, Special Session 1932, *Journal of the House of Representatives of the Territory of Hawaii, In Special Session 1932* (Wailuku, Maui, 1932), 71.

⁶³ Stirling, 53.

took him to the Pali lookout, beat and whipped him with leather belts, and threatened to throw him over if he did not confess to the rape of Thalia Massie. Though badly bruised, he managed to escape with his life while maintaining his innocence. In January 1932, Thomas Massie, his mother-in-law Grace Fortescue, and two other Naval officers—Edward Lord and Albert Jones—kidnapped Joseph Kahahawai from the front of the Judiciary building in an attempt to coerce a confession out of him. Police eventually apprehended the group driving toward Koko Head but it was too late: Kahahawai's naked corpse, wrapped in a bloody sheet, was found in the back seat of their car. The medical examiner ruled that Kahahawai had died from a gunshot wound to his head.

At this point, the story could not longer be contained. As the sensational news erupted in the United States, President Hoover called a special Cabinet meeting at the White House. Congress held emergency weekend hearings. The Justice Department and the Federal Bureau of Investigation (FBI) sent a team of investigators to Hawai'i. Every major newspaper ran a front-page story on the case and wealthy New Yorkers were even asked to help raise the \$30,000 in legal costs that were expected to be incurred by Grace Fortescue and the others who were accused of the Kahahawai murder.⁶⁴

Almost without exception, the expressed sympathy of America's politicians and journalists was not for the murdered young man but for his killers. From coast to coast, newspapers, magazines, and radio commentators described Hawai'i as—in the words of an article from *The New York Evening Post*—a place where “we won't punish rapists.”

⁶⁴ Associated Press, “\$30,000 is Being Raised to Help Mrs. Fortescue,” *Honolulu Star Bulletin*, 3 March 1932, 1.

As the *Post* put it more completely: “To the outside world Hawaii thus says: ‘Bring white women here, if you wish. We need tourists. But if our people rape them, we won’t punish the rapists.’”⁶⁵ Not to be outdone, *Time* magazine blamed the killing of Joseph Kahahawai on the victim and his friends, describing them as “five brown-skinned young bucks” who demonstrated the well known “lust of mixed breeds for white women” when they raped Thalia Massie in the first place. The fact that the local jury had not convicted the men of the alleged crime only proved to the American press that Hawai‘i was a “cesspool” of anti-white hatred that did not deserve territorial status. Accordingly, the *New York Post* called for a battleship to sail into Honolulu Harbor and rescue the killers from the civil authorities who had them under arrest. And everywhere, the cry went up for the United States to impose martial law in the islands.

Into this furor stepped Clarence Darrow, one of the most famous criminal lawyers in American history. Much of Darrow’s celebrity was based on his spectacular courtroom defenses of the oppressed and downtrodden. But now at age 74, he was broke, financially ruined by the Depression. For the equivalent of \$400,000 today, he agreed to defend four white people charged with killing a young Hawaiian man. This was a murder that even Darrow later admitted they were guilty of committing.

To a large extent, Darrow’s strategy was the same used by defenders of lynching in the South. Asserting flatly that Kahahawai had indeed participated in the gang rape of Thalia Massie—something that Honolulu prosecutors had been unable to prove—Darrow took the position that the murder was a justified “honor killing.” As such, he contended, customary, “unwritten law” demanded that the accused should go free.

⁶⁵ “Current Comment,” *Honolulu Star Bulletin*, 18 May 1932, 6.

Reporters around the world were in Honolulu for the trial and the jury decision.

Few juries have ever been under as much pressure as this one. On the one hand, there was no doubt that the four accused defendants had murdered Joseph Kahahawai. On the other hand, there was equally little doubt that a conviction would bring, at the very least, what was called a “commission” form of government to Hawai‘i, an arrangement only one step short of martial law. At the closing arguments, Barry Ulrich of the prosecution could not escape discussing the importance of the case to the future of the territory and to Hawai‘i’s reputation as a place lacking law and order:

The defendants alone are not on trial but the whole judicial system and the people of the territory are charged with inability to maintain law and order. It is in your power to do great good or great harm...If the defendants didn’t do what they are charged with doing, we don’t want them convicted but if they did you must find them guilty.⁶⁶

Congress and the American press had openly warned of the political consequences of a guilty verdict, and even prosecutor John Kelley—while appealing to the jury for a verdict of guilty—admitted that a fair and honorable decision by jurors would mean the end of civilian rule in the islands. In addition, companies controlling the corporate oligarchy that then dominated business in Hawai‘i employed many of the jurors or the jurors worked for firms with close connections to the Navy.⁶⁷ Their livelihoods and the economic well

⁶⁶ Russell Owen, “Vital Issues in Death Case are Stressed,” *Honolulu Star Bulletin*, 27 April 1932, 1.

⁶⁷ The jury that was finally selected consisted of six Caucasians, one Portuguese, three Caucasian-Hawaiians, and two Chinese. The Caucasian jurors were: John Stone, assistant secretary of Castle & Cooke, who was elected foreman; Olaf Sorensen, assistant department manager of Oahu Railway & Land Company; Theodore Bush, engineer of the Bishop Estate; Charles Strohl, pump manager of Oahu Sugar Company; Bradford Waterhouse, teller of Bishop National Bank and son of George Waterhouse, vice-president of the bank and nephew of John Waterhouse, president of Alexander & Baldwin; and Willy Beyer, independent caterer and potato chip manufacturer. One of the Chinese jurors was Theodore Char, a graduate of the University of Illinois and a certified public accountant. Masaji Marumoto, “The Ala Moana Assault Case And The Massie Fortescue Case Revisited After Half a Century,” *University of Hawai‘i Law Review* vol. 5 no. 2 (Winter 1983): 280.

being of their families were at stake, along with the political status of the place that was their home.

The panel reached a verdict despite the tense conditions. The defendants were found guilty of manslaughter. This was not a murder conviction but it was a conviction, and it carried a mandatory sentence of 10 years imprisonment. The national uproar grew louder. The thought that three white United States Navy men and a middle-aged Washington socialite might spend time in a Territorial prison was unacceptable.⁶⁸ However, despite the verdict, the killers would never spend a day in prison. After a flurry of diplomatic maneuvering between Washington and Honolulu, Territorial Governor Lawrence Judd commuted the sentences of the convicted killers to one hour, to be served in his office, maintaining the racial bias that often existed in Hawai'i's legal system. In return, Hawai'i was spared martial law until the outbreak of World War II. Judd later admitted that he had been pressured to do so by Washington under the threat of commission rule, even given the unquestionable guilt of the accused. According to Judd:

I refused pardons, but under pressure from Congress, commuted the sentences to one hour in custody of the Territorial High Sheriff. I acted under the heaviest congressional pressure and against my better judgment. Had I possessed facts of which I learned later, I doubt that I would have commuted the sentences. That would have flung the issue straight back into the hands of an infuriated Congress. Punitive legislation against Hawai'i was being considered in that body at that time. Had I not acted as I did, I believe that Congress might have changed our form of government and placed us under a commission."⁶⁹

⁶⁸ After the verdicts in the Ala Moana Case and the Massie-Fortescue Murder trial, two bills were introduced in the House Judiciary Committee. One measure, introduced by Rep. Charles R. Crisp of Georgia, would give a congressional pardon to all four defendants who were convicted of manslaughter in the murder of Joseph Kahahawai. Another bill that was approved earlier in the Senate would prevent persons in Hawai'i from being freed in criminal cases after two juries are unable to agree. Associated Press, "Two Measures in Committee on Case Here," *Honolulu Star Bulletin*, 4 May 1932, 1.

⁶⁹ Chuck Frankel, "'Pressured' in Massie Case, Says Ex-Governor," *Honolulu Star Bulletin*, 13 February 1967, A-1.

Within days of having the sentences commuted, the Massies, Grace Fortescue, the convicted Navy men, and Clarence Darrow boarded a ship and left Hawai‘i forever. Months later, an independent investigation by Mainland detectives, funded by the Territory, revealed that the accused men could not possibly have committed the alleged rape. Indeed, compelling evidence suggested that the supposed crime had never even occurred.

Shortly after a *Honolulu Advertiser* reporter confronted Thalia Massie with news of Kahahawai’s kidnapping and murder, she responded: “I’m sorry this man has been shot, but it was no more than he deserved.” Thalia Massie saw the murder of Joe Kahahawai as justice. She also continued to stress the need for safety and for defending white women in Honolulu. She told the *Advertiser* reporter, “I have been protected at all times by the shore patrols and have carried my revolver constantly as I do not think that this town is safe for any woman.” She also linked her story to that of another white rape victim. An escaped convict named Kaikapu had allegedly raped Mrs. James Odowda on January 2. Thalia Massie connected her claim of rape at the hands of a Native Hawaiian to that of Odowda, stating “I am very sorry for this poor girl at Wilhelmina Rise for I know just what she went through.” She framed her response within a general call for law and order: “I am glad Kaikapu was caught and put in jail and hope the rest of those who assaulted me will be put in jail as soon as possible.”⁷⁰

Both the beating of Horace Ida and the killing of Joseph Kahahawai were carried out by a small minority of the white community in Hawai‘i. Public sentiment, however, indicated that large numbers of whites in Hawai‘i and on the mainland condoned these

⁷⁰ “‘Sorry, But He Deserved It,’ Says Ala Moana Case Victim,” *Honolulu Advertiser*, 9 January 1932, A-1.

extra-legal measures that contributed to this dual-system of justice, especially since that system was proving so fallible. Newspapers editorials, the remarks of Navy officers, and letters to territorial officials confirmed this sentiment.⁷¹ Americans who followed this trial were seriously offended by the operations of the island's legal system, which allowed the testimony of a white woman from a prominent eastern family no more weight than the testimony of ethnic islanders and those from lower social classes.⁷² Territorial Prosecutor John Kelley received over one hundred and sixty letters from people who could not understand how a white man could defend non-whites accused of raping a white woman. Several sent newspaper clippings along with their letters to let Kelley know what "decent people" in their communities thought of him. One man from San Antonio, Texas, for example, quoted radio announcer Floyd Gibbons in asking why Kelley and other white officials were "joining their yellow brothers" instead of defending white women in Hawai'i.⁷³

Evidence supporting Massie's claim of the rape had been in doubt from the very beginning. In addition to Thalia Massie's conflicting testimony about her assailants, the physical evidence of the rape itself was inconclusive.⁷⁴ There was no evidence of semen

⁷¹ Appeals were sent in to the daily newspapers in Hawai'i and published from individuals from California, Minnesota, and even Vancouver, British Columbia. The Massie Trial was the subject of intense national and international scrutiny and reporters worldwide followed the unfolding events. Samples of these letters can be found in the *Star Bulletin* between 5/16/32 and 5/18/32.

⁷² Anne Kluegel wrote a letter that appeared on the first page of the Hearst papers across the country for a number of days. It stated: "PROTECT WOMEN! Write your representative in Washington to take the necessary steps to protect the honor of American womanhood...and to also compel decent respect on the part of the Hawaiian rabble for our American nation and our nation's patriotic defenders." Alongside this message was an editorial signed by war correspondent Floyd Gibbons, who called for the immediate "militarization" of the Hawaiian Islands in an ominous foreshadowing of the events following the outbreak of World War II in Hawai'i and the implementation of martial law.

Peter Van Slingerland, *Something Terrible Has Happened* (USA: Harper and Row, Publishers, Incorporated, 1966), 283.

⁷³ Letter of J.P.O to John Kelley, 11 May 1932, Papers of John Kelley, Hawai'i State Archives.

⁷⁴ Pinkerton National Detective Agency, *Ala Moana Assault Case* (New York: N.p., 1932), 67.

or blood stains on her clothing, which was “in perfect condition, no rips or tears, except on one stocking.”⁷⁵ This physical evidence was inconsistent with Thalia Massie’s assertion that “they [her assailants] were holding and dragging me” on the ground as they raped her.⁷⁶ The fact that she had been beaten was undeniable—including a fractured jaw and various bruises and abrasions—but there were hints that the Massies’ marriage was not as harmonious as it was portrayed to be. Lastly, it would have been physically impossible for the accused young men to be at the various locations they visited (collaborated by witnesses) and to have also participated in the rape. According to a conclusion reached by the independent Pinkerton Agency:

It would seem...that in view of the evidence as to the movements ...of the accused...there was not opportunity for the accused to commit the kidnapping and the rape of Mrs. Massie at the time alleged by her, or at other times within this period. For such to have been possible it would be necessary for many witnesses to have willfully made false statements and to have perjured themselves at the trial of the accused.⁷⁷

Given forensic evidence supporting the alibis of the accused men, the question arises as to why were these men were singled out and put on trial for a rape they did not commit. According to Ben Ahakuelo, one of the accused:

We got picked up because we were wild kids and they had to have somebody and they got the orders from up top to get someone and so we were it. We were wild kids fighting in the streets and going to dance halls but we weren’t the right guys who raped Mrs. Massie.⁷⁸

⁷⁵ Ibid., 60.

⁷⁶ Ibid., 10.

⁷⁷ Ibid., 261.

⁷⁸ Drew Mc Killips, “I’ve Had to Live with this Thing for 35 Years,” *Honolulu Advertiser*, 14 June 1968, A-1.

In asserting his innocence and that of his friends, Ahakuelo presented himself as part of a group that stood in opposition to authority figures “up top.” As “wild kids fighting in the streets and going to dance halls,” he and his friends believed they represented a threat to the social order of urban, white, affluent Honolulu. In this trial, issues of race, class, and gender came to the forefront and helped to define the tumultuous period prior to World War II in Hawai‘i.

The Massie Trial polarized the town of Honolulu as some elite whites and certain military personnel perceived themselves as under attack from the ever-growing threat of the large population of ethnic peoples living in Hawai‘i. No longer could whites be reliably protected in the dual-system of justice that had privileged them in the past. Rear Admiral Yates Stirling, Commandant of Pearl Harbor, found unacceptable the release of the five non-white defendants after a hung jury was announced. Yates commented, ““Under our own democratic form of government, the maintenance of white prestige has become increasingly difficult...[T]he effect of what I consider was a deliberate miscarriage of justice has lessened the prestige of white people the world over whenever they are in contact with the darker stained races.””⁷⁹ Other high-ranking Naval officers shared Admiral Stirling’s racist sentiments. In a letter to the Naval department, Admiral William Pratt defended the lynching of the Hawaiian defendant, stating that, “American men will not stand for the violation of their women under any circumstances. For this crime, they have taken the matter into their own hands when they have felt that the law has failed to do justice.”⁸⁰

⁷⁹ Kotani, 75.

⁸⁰ Kotani, 75.

Prominent local businessmen who were closely aligned with the military fanned furor over the Massie case. Walter F. Dillingham,⁸¹ who had intimate ties with the Navy, stated in a meeting of the Chamber of Commerce Directors:

I do not care what woman signs a statement that Honolulu is a safe place for women. We cannot accept it as being sound... You businessmen represented by the Chamber pay 90% of the taxes and the time has come for you to demand 90% voice in the control of government. If you cannot force the legislature and the governor to accept your program for reorganizing the police department, you must be prepared to go to Washington and obtain Commission rule for Hawaii.⁸²

Subsequently, Governor Judd set up a Police Commission with five prominent businessmen as commissioners and Charles W. Weaver, Dillingham's secretary, was appointed acting Chief of Police. Under the Commission, Honolulu's police system was thoroughly reorganized and William A. Gabrielson was brought in from California to be the permanent Chief of Police as local officers were perceived as incompetent. The image of Hawai'i that had been conveyed by the media was one where lawless gangs made the streets unsafe for white women. The reduction of sentences to time served for convicted murderers was an unusually blatant demonstration of the dual-system of justice which existed within Hawai'i and usually privileged whites at the expense of other ethnic groups. From the white point of view, however, the legal system no longer effectively protected whites, as revealed by the mistrial, the release of the suspects from jail, and the manslaughter conviction of Grace Fortescue, Thomas Massie, and two other Navy

⁸¹ Walter Dillingham had a close relationship with General George S. Patton, Jr. who served as Chief of U.S. Army Intelligence in Hawai'i. On one occasion, both he and Frank Baldwin, another prominent local white, intervened and prevented General Drum from removing Patton as Captain of the Army Polo team after Patton cursed in the presence of some female spectators during a hard-fought polo match. Michael Slackman, "The Orange Race: George S. Patton, Jr.'s Japanese American Hostage Plan," *Biography: An Interdisciplinary Quarterly* vol. 7 number 1 (Winter 1984): 5.

⁸² Kotani, 75.

officers. This explained why whites had to seek out the extra-legal means of beating Ida and killing Kahahawai in order to get their justice; in doing so, they further believed—ultimately correctly so—that the system would again work to protect them. Still the system had proved to be flawed. Therefore, already by 1932, there were calls for commission rule or martial law in Hawai‘i, to be administered by the United States, which would become a reality less than 10 years later. The presence of so many “undesirables” in Hawai‘i, of which the Japanese constituted the majority, directly affected the status of the Territory, the decision to impose martial law during World War II, and the later issue of statehood. This movement to reshape Hawai‘i’s legal and political systems also underscored the close alliance of the white oligarchy and the military that shared similar objectives: protecting white supremacy as well as white economic and political interests.

The racist notions of the Japanese that were revealed in the Jamieson murder and Massie trial were indicative of a long standing fear of the Japanese in Hawai‘i held by military officials, which explains their interest in the proceedings of both cases. In the period prior to the war large-scale military construction in the islands had begun and the Navy was already beginning to exert considerable political and economic influence. In a letter to Assistant Attorney General Richardson in 1931, Admiral Stirling wrote:

The large number of people of alien blood in the Hawaiian Islands is a matter of the gravest concern to our national government, and years of study...on the probable attitude of certain Island-born orientals had led to the conclusion that only doubtful reliance can be placed on their loyalty to the United States in the event of war with an oriental power.

Racial feelings are strong among all orientals and there can be little doubt that the so-called dominant white race is cordially disliked by all oriental races. No very great provocation would be required

to cause these sparks of dislike to be fanned into active race hatred in time of war...Present governmental control should be by men primarily of the Caucasian race; by men who are not imbued too deeply with the particular atmosphere of the islands...[A]ctual control of the laws— their inception, promulgation, and enforcement— should be by the national government.

Should the logic of the situation decide for a government of limited suffrage with a considerable measure of control by the National Government, the constitution of such controlling government, though predominately civil, should include an officer of the United States Army and an officer of the United States Navy.⁸³

Only a decade after the Massie trial and after Admiral Stirling voiced the above concerns, Hawai‘i was placed under martial law and was governed directly by military authorities. The attitudes of the military and the long-standing hostility of other ethnic groups created a hostile environment for Japanese in the islands.⁸⁴ However, the discrimination and prejudice experienced by the Japanese in Hawai‘i was much different from the virulent attacks and public outcry against the Japanese on the West Coast. Consequently, the experiences of the Japanese in Hawai‘i during the early twentieth century and through World War II are often dismissed as relatively benign.⁸⁵ However, not a single act of espionage was committed by a Japanese in Hawai‘i, making martial law unnecessary as a matter of objective concerns about security and defense. In addition, the nature of internment under martial law was much more authoritarian and restrictive than what occurred on the mainland and consequently provides revealing insights into the underlying motives driving martial law and internment in Hawai‘i. The enactment of

⁸³ Slingerland, 230.

⁸⁴ Even after World War II, there is some evidence that negative attitudes held by servicemen about the racial situation in Hawai‘i persisted and that friction existed between servicemen and locals in part due to prejudices some soldiers brought from the Mainland. V. Cabell Flanagan, "Servicemen in Hawai‘i - Some Impressions and Attitudes Toward Hawai‘i," *Social Processes in Hawai‘i* vol. IX-X (July 1945): 85.

⁸⁵ Harry N. Scheiber and Jane L. Scheiber, "Constitutional Liberty in WWII Hawai‘i: Army Rule and Martial Law in Hawai‘i: 1941-1946," *Western Legal History* vol. 3 no. 2 (1990): 342.

martial law in Hawai'i represented a crisis in constitutional rights that reflected long-standing racial fears among members of the military and among select members of the islands' white elite who were aligned against the very population martial law was directed at containing: Japanese.

Chapter 4. "Once a Jap, Always a Jap": The Military and Civil Justifications for Martial Law and the Impact of Martial Law on the Japanese Community

*"[The Japanese will] attain absolute domination of the islands within twenty years...If you leave things that way, you've lost Hawaii within a few years. The Japs there are not only a menace now—what's going to happen 10 years from now...This isn't the last war with Japan. Think of the hazard to the United States if the Japanese achieve absolute domination in the Hawaiian Islands."*⁸⁶

These statements, made in 1943 by John A. Balch, former president of the Mutual Telephone company in Hawai'i and the leader of the Vigilante Corps organized to hunt down Gill Jamieson's murderer, argued for the "shipment" of 20,000 Japanese families to the Midwestern states and Mississippi valley to protect Hawai'i from the large population of Japanese in the islands. This concern that the large number of Japanese in Hawai'i posed a danger to territorial and national security existed long before the outbreak of war and was used as one justification, among others, for the enactment of martial law and internment in Hawai'i. Although not all whites shared Balch's opinion of the Japanese, many of those who did occupied important positions in Hawai'i's government and business community as well as in the military. To some, military control over the islands was warranted by Hawai'i's military importance in the Pacific, an argument that was also recognized well before World War II. Only a decade after the annexation of Hawai'i by the United States in 1898, Congress authorized the construction of a naval base at Pearl Harbor. This enabled the United States to occupy a strategic bastion in the middle of the Pacific where United States Naval strength would be used to advance and protect

⁸⁶ "Balch Says Japs Will Dominate Islands Unless Many Removed," *Honolulu Star Bulletin*, 16 January 1943, 1.

American foreign policy interests. Already Hawai'i was recognized for its strategic importance, and the island of Oahu was destined to become the central fortress on the Alaska-Hawai'i-Panama defensive perimeter. In 1907, Fort Shafter became the first permanent post for federal troops in Hawai'i and 234 men were stationed there. Two years later, Schofield Barracks was established near Wahiawa, and the number of troops stationed there rose to about 600 men. During the First World War, the number of soldiers increased to as many as 12,463. After the Armistice, the size of the force was reduced to fewer than 5,000 men.⁸⁷

During the next decade, however, events in Asia led to another military buildup in Hawai'i. In 1931, Japan invaded Manchuria, quit the League of Nations in 1933, and engaged in an undeclared but full-scale war against China in 1937. On December 12 of that year, Japanese planes bombed and sank the American gunboat *Panay* as it attempted to evacuate American and British officials from Nanjing, China.⁸⁸ During this attack two crewmen were killed. A week later, the infamous Rape of Nanjing began, and America and European countries such as France and Britain—who had holdings in the region—began to look upon Japan's militaristic activities with growing trepidation. American military officials recognized Hawai'i's importance as the "Gibraltar of the Pacific,"⁸⁹ and Japan's campaign of aggression in Manchuria gave impetus to the improvement there of American military posts and the establishment of new defenses. Hawai'i increasingly became a center of strategic concern as the possibility of a war in the Pacific to defend

⁸⁷ *Hawai'i Chronicles III: World War Two In Hawai'i From the Pages of Paradise of the Pacific*. Edited by Bob Dye (Honolulu: University of Hawai'i Press, 2000), 11.

⁸⁸ Hamilton Darby Perry, *The Panay Incident: Prelude to Pearl Harbor* (New York: Macmillan, 1969), xv.

⁸⁹ Gwenfread Allen, *Hawai'i's War Years* (Westport, Connecticut: Greenwood Press, 1971), 65.

against Japanese aggression grew. In 1938, the author of an article in *The Paradise of the Pacific* noted Hawai'i's important military location, stating:

Look at the chart of the Hawaiian Islands extending about 1,445 miles from the Island of Hawaii northwest to Kure (Ocean) Island—a royal coastline. These islands of Hawaii form an island-ladder approach for about eleven hundred miles from Kauai to alien islands that in turn lead right to the present conflict. America must be ready if war should come.⁹⁰

Many officials and civilians shared this sentiment and supported the military buildup in Hawai'i due to Hawai'i's vulnerability in the middle of the Pacific. Particular attention was focused on Hawai'i's large population of Japanese that was believed to constitute a distinct but unknown threat to American security.⁹¹ In 1941, there were around 160,000 Japanese living in the islands, constituting nearly one-third of the total population of Hawai'i. One Army report noted that:

The continued presence of such a large, unassimilated, tightly-knit racial group bound to an enemy nation of strong ties of race, culture, customs, and religions in a strategic outpost so exposed to attack constituted a menace that required firm and intelligent action. Obviously this group was ideally situated to execute a crippling program of sabotage should any considerable numbers of its members feel so inclined, unless exceptional preventative measures were adopted.⁹²

Due to this prevalent belief held by the military—in particular by Army command—

Hawai'i was preparing for war years before the Pearl Harbor attack. However, this was a

⁹⁰ *Hawai'i Chronicles*, 16.

⁹¹ Okihiro, 106.

⁹² "United States Army Forces Middle Pacific and Predecessor Commands World War II- 7 December 1941- 2 September 1945, *History of the G-2 Section, Part I*," JIRHE Item 229, 7.

A multitude of proposals for the solution of the "Jap problem" was received and reviewed by the Army. Among them were recommendations that all Japanese be evacuated to the interior of the mainland. Another proposal suggested that all Japanese be locked in stockades overnight, while permitted "normal" freedom during the day. "History of the G-2 Section Part I," JIRHE Item 229, 7.

war to be waged within Hawai'i by the Army and other military forces as they identified the enemy as local Japanese.

The Army conducted numerous studies in Hawai'i to determine the loyalty of the Japanese community in the event of war with Japan. Major General Charles D. Herron, who served as Commander of the Hawaiian Department of the Army from October 1937 to February 1941, stated in 1941:

We were satisfied that a least five per cent were committed to the American cause, either through conviction or by force of circumstances, such as being *persona non grata* to the Japanese government. Another 5 per cent we said would be irreconcilable, hostile to the United States. The other 90 per cent, like anyone else would sit on the fence until they saw which way that cat was going to jump.⁹³

Questions about the loyalty of the Japanese in Hawai'i alarmed many high-ranking military officials who were confronted with the presence of so many "undesirables" living in the islands. Herron's successor, General Walter C. Short, believed that in the case of an invasion, "most anything might have happened...they [the Japanese military] immediately would have perhaps an army of thousands ready to support them."⁹⁴ Many investigators particularly feared the influence of the *Kibei*—American-born Japanese who were educated in Japan—as it was believed they were indoctrinated in Japanese beliefs and were loyal to the Emperor. This inability of the military to know or predict the behavior of the majority of the Japanese in the event of war, along with suspicions about a pro-Japan element in the population, led many military officers to believe that there was a basis for security concerns regarding the

⁹³ Allen, 83.

⁹⁴ Allen, 83.

Japanese. These fears were heightened by the Jamieson murder and Massie trial.

Subsequently, the presence of so many “undesirables” in an important military location became the justification for the institution of martial law and for the internment of nearly fifteen hundred of Hawai‘i’s Japanese, who were sent first to camps in Ewa then on the Mainland.

Some historians have claimed that the rationale of military necessity behind martial law and internment was undermined by the fact that not a single act of espionage or sabotage was committed after Pearl Harbor by anyone in the Japanese community in Hawai‘i. Others have argued the opposite case, that the enactment of martial law prevented any acts of terrorism. Despite such speculations, the fact remains that martial law continued even after Japanese forces no longer posed a threat in the Pacific. Martial law was not lifted until October 1944, more than two years after the Battle of Midway, which even American Army and Naval officials believed had ended any danger of invasion or massive strike against Hawai‘i.⁹⁵ In addition, it is important to consider the consequences of martial law, specifically how it affected the Japanese community more than any other group in Hawai‘i. This unprecedented extension of military control was motivated by other factors, namely race, as war became a new catalyst for anti-Japanese sentiment both in Hawai‘i and on the Mainland.

The Japanese air attack on Pearl Harbor had only been over for a few hours on December 7, 1941 when the territorial governor, Joseph Poindexter, and the military commander, Delos Emmons, announced the institution of martial law. Martial law

⁹⁵ Harry N. Scheiber and Jane L. Scheiber, “Constitutional Liberty in WWII Hawai‘i: Army Rule and Martial Law in Hawai‘i: 1941-1946,” *Western Legal History* vol. 3, no. 2 (1990): 346.

involved the outright suspension of constitutional liberties as civilian courts were declared closed, all government functions—federal, territorial, and municipal—were placed under Army control, and a military regime was established. The commanding general declared himself the “Military Governor” of Hawai‘i and he controlled the entire civilian population with absolute discretionary powers.⁹⁶

As on the Mainland, the Army and the FBI quickly rounded up aliens and other suspicious persons in the Japanese community who had been investigated earlier for being disloyal or dangerous during a war. Of the 1,569 persons eventually detained on suspicion of disloyalty, 1,444 were of Japanese descent. Many were asked about their relationship with Japan and the local Japanese community as well as about their allegiances and loyalty to America. As one internee remembers:

After the war with China started, I collected donations to help Japan which was then a poor nation and sent money to Japan in my name. Because of this, I was investigated at the Dillingham building. I went there three times...in the end, since I was *sekokujin* [citizen of Imperial Japan] they asked me whether [I wanted] Japan to win or lose...[S]ince I had relatives in Japan and grew up in Japan—if I had grew up here my thinking might have been different—in the end I said I didn’t want Japan to lose. That was the end [for me]...and the next day they told me to bring my suitcase. They came to get me...then I went to Honouliuli [and was interned].⁹⁷

Many individuals brought in for questioning were interned after hearings that were conducted by untrained persons. Numerous Japanese families, especially of Japanese aliens, lived in constant fear, wondering if their relatives would be the next to be taken away. Families of the arrested often were not informed for weeks of the whereabouts of

⁹⁶ Ibid., 344.

⁹⁷ Center of Oral History Social Sciences Research Institute University of Hawai‘i at Manoa, *An Era of Change: Oral Histories of Civilians in WWII Vol. I* (Honolulu: Center of Oral History Social Sciences Research Institute University of Hawai‘i at Manoa, 1994), xliii.

their relatives, and these families were shunned by the other members of the Japanese community for fear that suspicion would fall on them. Some Japanese, knowing others that had been arrested before them, even had suitcases packed in the event of an arrest. Eventually, 1,444 Japanese—of which 979 had Japanese citizenship and 525 were American citizens, though mostly *Kibei*, those educated in Japan—were interned. 981 internees were sent to mainland relocation camps. The rest spent the early years of the war at Sand Island detention camp and were later moved to Honouliuli Internment Station outside of Ewa on Oahu.⁹⁸

Although less than 1% of the entire Japanese population in Hawai‘i was interned, those imprisoned constituted the leadership of the Japanese community, as many were teachers, priests, and political activists. This had the desired effect of weakening the Japanese community while effectively subduing the rest of the Japanese population who feared a similar fate. “Fear of severe punishment,” observed an Army official, “is the greatest deterrent to [the] commission of crime.”⁹⁹ Further internment was discouraged not because of an ‘enlightened’ racial policy, but because of logistical concerns and the labor shortage in Hawai‘i. The Japanese, who constituted one-third or more of the population, were an important part of the labor force during a period in war-mobilized Hawai‘i when laborers were in short supply.¹⁰⁰ As efforts were concentrated toward protecting the islands and rebuilding the military after the Pearl Harbor attack, a mass evacuation of Japanese from Hawai‘i, and Oahu specifically, would have greatly

⁹⁸ Dorothy Ochiai Hazama and Jane Okamoto Komeiji, *Okage Same De: The Japanese in Hawai‘i 1885-1985* (Honolulu: Bess Press, 1986), 123.

⁹⁹ Gary Y. Okihiro, *Cane Fires: The Anti-Japanese Movement in Hawaii 1865-1945* (Philadelphia: Temple University Press, 1991), 211.

¹⁰⁰ Ogawa, *Kodomo*, 283.

hampered the war effort. Nonetheless, although they were United States citizens, most Japanese-Americans were barred from working at Naval establishments, especially those situated near Pearl Harbor. While the Army was more lenient and hired Japanese workers, including aliens, to build Army piers, hangers, and underground storage tanks at Red Hill, most Japanese were involved in non-military or non-regulated jobs that paid lower wages than military jobs. In a report by the War Research Laboratory in 1944, Japanese respondents commented that "All groups but the Japanese" were profiting from the war.¹⁰¹

At the outbreak of war, a reluctant Governor Joseph Poindexter enacted martial law at the insistence of General Short. Poindexter was only convinced to do so under the belief that martial law would be lifted "within a reasonable time."¹⁰² Subsequently, a proclamation was issued declaring martial law and the relinquishing of the entire civilian governmental authority to the Army. Although both the territorial governor and some leading members of the Hawaii Bar Association informed Army officials directly that they had gone too far in suspending normal liberties, even in such an emergency, there was little expressed concern over the implications of martial law in either Hawai'i or in official circles in Washington.¹⁰³ Army control was accepted as necessary due to the exigencies of war. It was generally thought, however, that the civilian courts would be reopened and criminal jurisdiction returned to the territorial government once the danger of imminent invasion had passed. However, it was not until March 1943, more than 15

¹⁰¹ Hawai'i Social Research Laboratory, *What People are Saying and Doing: Report No. 1* (Honolulu: Hawai'i University, March 1944), 2.

¹⁰² J. Garner Anthony, *Hawai'i Under Army Rule* (Honolulu: The University Press of Hawai'i, 1955), 9.

¹⁰³ Scheiber, 345.

months later, that military officials who had ruled Hawai‘i with virtually a free hand lifted the suspension of constitutional guarantees, including the right to jury trial in criminal cases and the privilege of the *writ of habeas corpus*.¹⁰⁴ In essence, the dual-system of justice that had operated within Hawai‘i’s legal system became irrelevant given the all-out suspension of civil rights under martial law. Martial law was not fully lifted until October 24, 1944, more than two years after the Battle of Midway.

What was unique about the institution of martial law in Hawai‘i was not only its lack of precedence in any United States territory, but its scope, length in time, and lack of necessity even with the “exigencies of war.” In October 1941, the Territorial Legislature, anticipating a war emergency, had enacted the Hawaii Defense Act which authorized the civilian governor to exercise sweeping executive powers in any war emergency, but with enforcement to be in the civilian courts with full provision of due process for any individual accused of violations. Military officials considered this statute on December 7 but civilian rights and constitutional law were ignored in favor of martial law, which had been advocated as early as 1928 with the Jamieson case. The Defense Act subsequently became important to the discussion about whether Army rule was necessary, and many civilian leaders in Hawai‘i contended that the act gave the governor ample powers over security in the civilian community with no need for Army courts to enforce the laws. In

¹⁰⁴ Various criticisms were made of the provost courts: that for many months they operated in secret session, except in the City of Honolulu; that the judge was often without legal training; that a copy of the charges was not given to the accused, although the accused was allowed to read the prosecution’s copy at the beginning of the trial; that the aid of counsel and cross-examination were discouraged; that the proceedings were summary, a trial rarely exceeding thirty minutes in length; that the defendants were convicted of violating “the spirit of martial law” or “the spirit” of general orders when the text was found inadequate; that one provost judge, appointed on an island exclusively occupied by a large plantation, was the general manager of the plantation. Walter P. Armstrong, “Martial Law in Hawai‘i,” *American Bar Association* vol. 29 (Dec. 1943): 701.

the early months of 1942, however, the Defense Act was considered irrelevant by the preemptive effect of martial law.¹⁰⁵

Behind the Army's readiness to take over every detail of government in Hawai'i only hours after the Pearl Harbor attack was Lt. Col. Thomas H. Green, an Army adjunct who was the chief legal officer for the military command in Hawai'i. He had spent the better part of 1941 planning the details of martial law and thus a bevy of "General Orders" was in his files and ready for promulgation long before the Pearl Harbor attack.¹⁰⁶ During the period of military rule in Hawai'i, until late October 1944, some 181 general orders were issued under the names of the commanding general General Delos Emmons and Col. Green, the latter having been given the title of "Executive, Office of the Military Governor." Under that title—and operating from the Office of the Territorial Attorney General at Iolani Palace, which the Army had appropriated for its military governor's functions—Green controlled much of civilian life and criminal law enforcement in Hawai'i until mid-1943.¹⁰⁷

General Delos Emmons, who took command of the Army in Hawai'i in January 1942 and succeeded to the appropriate title of Military Governor, authorized Green to extend Army control even to the full range of federal administrative functions. These

¹⁰⁵ Scheiber, 346.

¹⁰⁶ Scheiber, 346.

Between 1935 and 1937 General George S. Patton, Jr. served as Chief of U.S. Army Intelligence in Hawai'i, preparing a secret plan that called for "[the] arrest and intern of certain persons of the Orange Race who are considered inimical to American interests, or those who, due to their position and influence in the Orange community, it is desirable to retain as hostages." By arresting certain individuals Patton hoped to guarantee the quiescence of Hawai'i's 151,000 member Japanese community in the event of war with Japan. Included in this plan was a list of names of certain individuals the military would target with the onset of war as well as their occupation, address, and telephone number. Although the influence of this document on military policy during the war is unknown, it set precedence for Green's own plan based on the military's racial fears of the Japanese.

Slackman, 25.

¹⁰⁷ J. Garner Anthony, *Hawai'i Under Army Rule* (Honolulu: The University Press of Hawai'i, 1955), 10.

eventually included all the wartime powers exercised by the Office of Price Administration, the War Production Board, the War Labor Board, and other “alphabet industries.” The Army’s general orders in Hawai‘i also controlled wartime wages and working conditions. The military controlled allocations of labor on the plantations, including “sweetheart deals” with the sugar and pineapple plantation companies by which they kept their labor force in place but contracted their workers out to the Army’s military construction projects. The Army won over powerful employer interests and thus gained political influence within the civilian community by criminalizing job switching and absenteeism from work. Under martial law, employees were required to gain employer permission to leave a job. It was an offense to be absent from a job without permission.¹⁰⁸ Organized business groups, therefore, provided enthusiastic support for Army rule. At one point late in 1942, an officer of the Honolulu Chamber of Commerce told the Territory’s Attorney General that the organization wanted martial law to continue as it “was not interested in the courts or the rights of civilians, but it was only interested in the obtaining of priorities and the freezing of labor.”¹⁰⁹ While this was only one man’s view and not necessarily an accurate reflection of the prevailing view within the Chamber of Commerce, that organization did become a mainstay of white elite political support for the Army when civilian officials in Washington moved to reduce the military’s authority in Hawai‘i.

¹⁰⁸ Ibid., 43.

¹⁰⁹ Scheiber, 349.

Under martial law, the Japanese in the islands faced legal, social, and economic discrimination by the military and the constant questioning of their loyalty.¹¹⁰ The Japanese responded to the war with extensive efforts to mobilize the Japanese community in Hawai'i and to contribute to the overall United States war effort. Often holding down more than one job, many Japanese in the islands served as block wardens, Red Cross workers, fire fighters, medical workers, and laborers. They responded to urgent pleas for blood by hosting numerous blood drives and encouraged the purchase of war bonds. As block wardens, they were responsible for patrolling their areas, investigating fire hazards, and enforcing the 6 o'clock curfew and blackout regulations established under martial law. Volunteers also manned first-aid stations, the blood bank, and provided emergency ambulance services. In fact, the 800 volunteers who had received emergency medical training under the United Japanese Society in Honolulu went directly from their December 7th certification ceremonies to the aid of the wounded at Pearl Harbor.

As members of the *kiawe* corps on Oahu and Kauai, and of the Menehune Minutemen on the Big Island, Japanese volunteers cleared *kiawe* thickets for evacuation and military camps, built trails, and strung barbed wire along the coastline.¹¹¹ On Sunday, Japanese women devoted their free time to Red Cross activities, such as folding bandages

¹¹⁰ In his testimony before Mr. Justice Roberts of the Supreme Court, who was part of the Roberts Commission sent to Hawai'i by President Franklin Delano Roosevelt to investigate and report on the Pearl Harbor attack, Governor Poindexter made clear that martial law was proclaimed on the insistence of the Army rather than on his own initiative. He stated: "It was at the request of the Army [that martial law was declared]...this was the way it was represented. Of course, being a civilian I was not very keen about having martial law, you will understand. But a disturbance that we had here and the large Japanese population we have in Hawai'i was the reason that was advanced why that could be better handled through martial law than by civil authorities." The large Japanese population in Hawai'i was believed to constitute a threat that would be most appropriately dealt with by military authorities. J. Garner Anthony, *Hawai'i Under Army Rule* (Honolulu: The University Press of Hawai'i, 1955), 9.

¹¹¹ Gwenfredd Allen, *Hawai'i's War Years: 1941-1945* (Honolulu: The Advertiser Publishing Co., Ltd, 1950), 91.

and knitting woolen socks. Other joined the Women's Division of the Office of Civilian Defense (O.C.D.) and studied safety measures, disseminated necessary information, and worked on special projects such as Christmas gifts for service men. Some young Japanese girls even expressed their patriotism by entertaining off-duty soldiers at dances held in Waialua. As one writer recalls:

The Japanese girls, however, felt a special obligation to attend the dances. Their parents felt the need to have their daughters make a contribution to America's war efforts, as had their sons and brothers by enlisting voluntarily in the United States armed forces.¹¹²

Although many of these activities were sincere expressions of patriotism, they were also efforts to deflect the suspicion focused on them as a result of their Japanese ancestry. Fear of and discrimination against the Japanese were part of popular public sentiment and military officials who now ruled Hawai'i condoned attacks specifically directed at the Japanese community.

Under martial law, Japanese newspapers in Hawai'i were ordered to stop their presses, and although no similar orders were issued to other Japanese businesses and institutions, the doors to Japanese schools, Buddhist temples, and Shinto shrines closed as most of the teachers and priests had been interned. Almost overnight the Japanese community was deprived of its social, educational, and religious leaders, which created a void in leadership as well as aroused ambivalence and anxiety among the Japanese about their future in Hawai'i. This tactic so successfully suppressed leadership in the Japanese community that in 1943 and 1945, with only one exception, there were no individuals of Japanese ancestry in elected office in the Territory despite Japanese constituting nearly

¹¹² Blaise Camacho Souza, "Boosting Morale is a Cheerful Task on Home Front," *Honolulu Star Bulletin*, 13 September 1999, Fifth Part.

twenty-nine percent of the total voter pool.¹¹³ Only a few years earlier in 1941, there were 6 representatives and one senator of Japanese ancestry in the Territorial legislature, along with 6 Japanese in the County Boards of Supervisors. Many Japanese candidates who had previously been politically active elected not to run for public office during the war due to the politically volatile situation. In addition, Japanese voters hesitated supporting Japanese candidates for fear that the Japanese community would be seen as trying to take over the government. The Japanese community did not want to exacerbate already strained race relations in Hawai'i as the war provided the opportunity for other ethnicities to express long standing racial fears and hostilities toward the Japanese.¹¹⁴

Japanese families also removed family heirlooms from their houses and destroyed them for fear that they would be used as incriminating evidence at an internment hearing.

As Monica Sone remembered:

We worked all night, feverishly combing through bookshelves, closets, drawers, and furtively creeping down to the basement furnace for the burning. I gathered together my well-worn Japanese language schoolbooks which I had been saving [for] over a period of ten years with the thought that they might come in handy when I wanted to teach Japanese to my own children. I threw them into the fire and watched them flame and shrivel into black ashes.¹¹⁵

In order to prove their loyalty and appear as "American" as possible, the Japanese replaced Japanese radio programs and films with English programs and American films, and a "Speak-American" campaign was launched in the Japanese community.¹¹⁶ These drastic actions reflected an underlying fear in the Japanese community about the tenuous

¹¹³ Emergency Service Committee, *The AJA – Their Present and Future* (Honolulu: N.p., [1940?]), 9. (Ref. Number: SL DU624.7 J3 H35 cop. 2)

¹¹⁴ Allen, 350.

¹¹⁵ Monica Sone, *Nisei Daughter* (Boston: Little, Brown, 1953), 304.

¹¹⁶ Allen, 351.

position they occupied in a war with the nation of their origin. Two Japanese authors explained the changes made by the Japanese community in 1943:

One [reason] is the general fear of criticism from society as a whole—they want to carry on their activities with a minimum amount of criticism and condemnation. Another is the fear of internment and mass evacuation...[S]till another is the concern over the safety and welfare of their children. The Japanese people at present are subjected to criticism from all sides; every move made by them is observed keenly by the community, and any false move is severely criticized.¹¹⁷

The reaction of the Japanese community to the outbreak of war not only reflected the general mobilization of Hawai'i as an important military station but also the anti-Japanese sentiment expressed by other ethnic groups, particularly by the Koreans and the Filipinos. This racial hostility had its origins in the plantation system that exploited ethnic differences between different groups to weaken interethnic bonds and strengthen the position of the white management in a strategy known as "divide and rule."¹¹⁸ Despite the best attempts of Japanese to be "patriotic" and "American," the war gave new vitality to a long-standing animosity toward Japanese. Many Japanese in the islands were forced to adjust to the hostility and constant scrutiny they now had to endure. As one twenty-year-old girl remarked:

When word came over the radio that this island was being attacked by Japanese airplanes, a sense of shame and indignation arose in me...even the hatred for Japan, which came so suddenly and left a deep mark, might never have been if I were not aware of the critical position in which all my fellow residents were now placed. Where formerly I would have been highly incensed at critical remarks toward me as a Japanese—such as when a little Filipino girl damned me for being a 'Japanee—so damn greedy

¹¹⁷ Yuriko Hatanaka and Kimie Kawahara, "The Impact of War on an Immigrant Culture," *Social Processes in Hawai'i* vol. VIII (Nov. 1943): 42.

¹¹⁸ Ogawa, *Kodomo*, 7.

hog'—I was now more philosophical and accepted such things as inevitable.¹¹⁹

Although persons of varying ethnic backgrounds had lived and worked side-by-side for many years, there was an undercurrent of anti-Japanese feeling even before December 7. The Japanese attack caused these latent feelings to surface. The Koreans disliked the Japanese because Japan had subjugated Korea; the Filipinos were angered by the Japanese invasion of their homeland. Others had doubts about the loyalty of Japanese-Americans because they followed Japanese customs, went to language schools, and were generally clannish. "Once a Jap, always a Jap," was a phrase often heard in wartime Hawai'i.¹²⁰ Many Japanese understood the hostility and suspicion directed toward them as this tension-filled situation ignited racial fears and hostilities. This situation resulted in the internment of nearly 1,500 Japanese in the islands as well as a handful of Germans and Italians in relocation centers throughout the islands. Although internment also occurred on the mainland and included the entire Japanese population, not just a few select individuals, the nature of internment in Hawai'i was distinctive for its history and the treatment that was endured by the internees. Their experiences in particular reflected the long-standing antagonism against the Japanese expressed by military officials in the islands.

¹¹⁹ Andrew Lind, "The Japanese in Hawai'i Under War Conditions" (paper presented at the Eighth Conference of the Institute of Pacific Relations, 1942), 14.

¹²⁰ Dorothy Ochiai Hazama and Jane Okamoto Komeiji, *Okage Same De: The Japanese in Hawai'i 1885-1985* (Honolulu: Bess Press, 1986), 30.

Chapter 5. "They Even Checked Our Assholes": The Invasiveness of Martial Law and Japanese Internment, 1941-1944

"I must mention that we were forbidden to carry any [cutlery] in the camp. But some of us picked up the metal from the boxes which were sent to the mess hall and made a knife. On December 14th, some of us were assigned to work outside the camp. On their way back to the camp, their bodies were searched, and the inspector found a handmade knife from Rev. Ryoshin Okano. Upon an alarm, 67 guards surrounded Okano and stripped him naked with their pistols pointing at him...At night we were gathered in the open space and we took off our clothes. We had to remain standing for a long time until they finished searching our clothes. Other guards searched our tents and took away our fountainpens and pencils. We were frozen to death in the cold, windy, and barren field."¹²¹

Yasutaro Sogo, prominent journalist and political leader, told this story in his memoirs about his experience in Hawai'i internment centers; it was reflective of the treatment he and 1,500 Japanese received throughout the duration of the war. The use of extreme force to subdue one man is indicative of the pervading fear of and paranoia about the Japanese that had built up years before World War II and culminated in internment. The attack on Pearl Harbor on December 7, 1941 not only launched America's entry into World War II, but it also began America's war against a specific ethnic group within its own shores: Japanese and Japanese-Americans. Although the story of Japanese internment on the mainland has been well documented, little attention has been paid to internment in Hawai'i, where martial law gave military officials unprecedented power and authority. Isolated from the larger Japanese community and subjected to arbitrary punishments that included interrogations and strip-searches, these internees became victims of racist fears and suspicions. Further, those interned were used by the military as

¹²¹ "Soga, Translations of My Life behind Barbed Wire (Fukuhara)," JIRHE Item 263, 6.

“examples” meant to control the rest of the Japanese population in Hawai‘i who then feared sharing a similar fate. A study on the effects of internment on Hawai‘i’s Japanese community during the war confirmed that “an extreme degree of fear was present” due to the loss of traditional leaders and religious institutions.¹²² Although internment could be merely seen as a product of wartime hysteria, its long history of planning and its carefully conceived intent of weakening and controlling the Japanese community—which had a contentious history with the military and white elites and which could no longer be controlled under the dual-system of justice—undermines this argument.

Years before Japanese planes flew over Pearl Harbor, preparation for internment had begun. As early as 1935, the Army established the Army Service Command that created a partnership with “civil control forces” and the military to prevent sabotage and local uprisings.¹²³ The Army’s plan for civilian warfare in Hawai‘i also led to the creation of a paramilitary organization called the Provisional Police in July 1940. Led by plantation manager T.G.S. Walker, its mission was to prevent and suppress any emergency, such as “sudden and unpredicted overt acts of disloyal inhabitants.”¹²⁴ Through the efforts of the Army, the Honolulu Mayor, the Chief of Police, and plantation managers on Oahu, the Provisional Police was established to allow civilians to participate in defending Hawai‘i against possible attack. Throughout the fall and winter, plantation employees, members of the American Legion, and utility workers were trained in guard duty around the island. By April 1941, some 1,500 guards were ready for action, and by

¹²² Yukiko Kimura, “Some Effects of the War Situation Upon the Alien Japanese in Hawai‘i,” *Social Processes in Hawai‘i* vol. VII (November 1943): 18.

¹²³ Allen, 65.

¹²⁴ Okihiro, 198.

May, more than one-third of them had participated in Army maneuvers.¹²⁵ The idea was to free the regular militia from guard duty by utilizing plantation laborers who were familiar with local faces and terrain and who could be efficiently managed and mobilized through Hawai'i's existing plantation hierarchy.

In addition to the Army, the FBI also became interested in looking for subversive elements in Hawai'i's Japanese community. In August 1939, just before war broke out in Europe, the FBI reopened its Honolulu office, which it had closed years earlier. FBI agents joined the efforts of Army and Navy intelligence staffs, which had been compiling lists of anti-American suspects, mainly those of Japanese ancestry. Together they attempted to develop more detailed information regarding the Japanese population in the islands. They focused surveillance on both the older group of 35,000 aliens and the younger 120,000 Japanese-Americans, many of whom held dual citizenship.¹²⁶

The FBI also gained the assistance of the Honolulu Police Department, who at the FBI's request formed an espionage bureau. This entity was established in December 1940, following the approval of Police Chief William A. Gabrielson, the mayor, and Board of Supervisors. The police bureau employed a Japanese, Korean, and "Hapa-Haole" (Japanese-White), all of whom spoke Japanese, to investigate matters for the FBI and to engage in undercover activities amidst Hawai'i's Japanese community. Police

¹²⁵ Allen, 68.

¹²⁶ Aliens were primarily *Issei*, first-generation Japanese, who were denied citizenship due to their origin of birth. Many second-generation Japanese, *Nisei*, held dual citizenship as they were considered Japanese citizens by blood and American citizens by birth. To become expatriated from Japanese citizenship was a long and complicated process that was frequently handled by consular agents and always had to be accomplished through the Japanese consulate. After war was declared, many *Nisei* renounced their Japanese citizenship as an expression of loyalty, but the *Issei* would never be considered American citizens during the war.

Captain John Burns—later governor of Hawai‘i—served as the liaison with certain Japanese who advised military and civilian intelligence on Japanese activities.¹²⁷

The main force behind the investigation of suspicious Japanese activity, however, was the Counter Intelligence Corps (CIC), not the FBI as some scholars believe.¹²⁸ Its mission, according to an Army document, was to “contribute to the successful operations of the Army of the United States through the detection of treason, sedition, subversive activity, and disaffection, and the detection and prevention of enemy espionage and sabotage.”¹²⁹ In Honolulu, the CIC was activated in January 1942, and assigned the title of G-2 Headquarters, Hawaiian Department. On the initial day of its existence, the local CIC detachment had 12 officers and 18 special agents. Most of the officers and agents came from a military intelligence agency known as the Corps of Intelligence Police (CIP) that was organized during World War I. Until the early part of 1941, there were a total of fifteen men in the CIP, four of whom were stationed on Oahu. Locally, the CIP began to expand on April 5, 1941, and after the CIC was formed the CIP personnel were absorbed into it. By January 27, 1942, there were 27 agents, and a month later 6 more agents were added to help with the number of investigations that were being conducted. One year after the outbreak of war, there had been a dramatic increase in personnel as 81 agents conducted investigations. Two years later the force peaked at 97 agents.¹³⁰

¹²⁷ Okihiro, 197.

¹²⁸ While Okihiro suggests that it was the FBI that headed the investigation and internment of Hawai‘i’s Japanese, according to an Army document, the CIC and its predecessor the CIP (Corps of Intelligence Police) had been investigating suspicious activity years earlier. By 1942, the CIC was granted complete authority over all investigations through an agreement reached by the CIC, FBI, and Office of Naval Intelligence. “History of the G-2 Section Part II,” JIRHE Item 230, 23.

¹²⁹ “History of the G-2 Section Part II,” JIRHE Item 230, 13.

¹³⁰ This CIC unit was initially known as the Contact Office; later it operated as the Counter Intelligence Division, first for the Hawaiian Department G-2, then successively for the Central Pacific Area and Central Pacific Base Command G-2s and MIDPAC. Headquarters for the counter intelligence division were in the

In the years before the war, the CIP was largely a fact-gathering organization.

Among one of its many functions was preparing a pick-up list of individuals posing a potential danger to the United States in the event of war.¹³¹ Certain suspects classified as "1-A" were to be apprehended immediately with the start of hostilities. Others were listed as "1-B," and they were to be put under surveillance and their activities curtailed until it was determined they no longer posed a threat. There were approximately three hundred persons listed in each group. However, the vast majority of those investigated were Japanese.¹³²

Throughout 1941, the Army compiled a list of specific individuals to be detained in the event of war and those to be kept under surveillance. Investigators added and removed names as investigations were conducted. Rehearsals of the identification and arrests of suspects and their transportation to internment centers were even practiced. Simultaneously, while agents were covertly conducting investigations of Japanese, intelligence officials began a public program stressing Japanese loyalty to America and interracial unity in Hawai'i. Valuable assistance was given by two advisory groups of Americans of Japanese Ancestry (AJA) that met with the FBI at least once a week after the spring of 1940 to discuss plans for the control of subversive elements. The Committee

Dillingham Building in Downtown Honolulu. There were also branches on the three major outer islands—Hawai'i, Maui, and Kauai—and each had two officers and between two to four resident agents. "History of the G-2 Section Part II," JIRHE Item 230, 14.

¹³¹ The majority of those interned were Buddhist and Shinto priests, consular agents, language school officials, commercial fishermen, and *Kibeis*.

"History of the G-2 Section Part I," JIRHE Item 229, 8.

¹³² By February 1942, an agreement had been formally reached for the CIC, FBI, and Office of Naval Intelligence (ONI). Under the terms of the agreement, the CIC was given responsibility for the internal security of the Territory. All cases of espionage, treason, sabotage, and other "subversive activities" were made the responsibility of the CIC with the exception of those taking place on naval reservations or in which naval personnel were involved. Investigations of "disaffections cases," cases that resulted in internment, were thus the responsibility of the CIC.

"History of the G-2 Section Part II," JIRHE Item 230, 23.

of Interracial Unity was started by Chinese residents to help minimize friction among Chinese, Japanese, and Filipinos. The Oahu Citizens Committee for Home Defense—an outgrowth of one of the advisory groups but with a wider range of membership of AJA—also contributed to the loyalty program. Morale Committees within the Japanese community were also formed with the approval of Army, Navy, and FBI authorities to “promote the interracial good will which had been built up in Hawai‘i.” Unless Japanese were accepted into Hawaiian society and acknowledged as part of the citizenry, it was believed by many that they would be “a burden, even a danger to our security.”¹³³

Army and FBI officials also took every opportunity to promote cooperation with the local Japanese and the cause of interracial unity by speaking before luncheon clubs, school assemblies, and special meetings organized by the advisory groups. In a patriotic rally for 2,000 Japanese sponsored by the Oahu Citizens Committee for Home Defense in June 1941, a representative of the Commanding General promised fair treatment to the Japanese as long as they showed no disloyalty to the United States. He predicted, “The fire of this period of national emergency and any war—even a Pacific war—will weld our Japanese into the structure of American Unity.”¹³⁴ However, even as military officials promoted the loyalty of the Japanese, war clouds over Hawai‘i darkened.

The Japanese attack on Pearl Harbor December 7, 1941 caught many officials by surprise. What did not catch them by surprise was the need for a plan to contain the local Japanese population. Such a plan had already been in place years earlier. The very day of the attack, Territorial Governor Joseph Poindexter and the Commanding General Delos

¹³³ Andrew Lind, *The Japanese in Hawai‘i Under War Conditions* (Honolulu: American Council Institute of Pacific Relations, 1943), 30.

¹³⁴ Allen, 83.

Emmons announced martial law. The imposition of martial law involved the outright suspension of constitutional liberties as civilian courts were declared closed. All government functions—federal, territorial, and municipal—were placed under Army control, and Army command established a military regime. The Commanding General declared himself the “Military Governor” of Hawai‘i, in control of the entire civilian population with absolute discretionary powers.¹³⁵

The CIP immediately began the apprehension of those individuals on the “1-A” list, assisted by the FBI, the Office of Naval Intelligence (ONI) and Honolulu Police Department reservists. The first arrests took place at about 11:00 a.m., while Japanese planes were still in the air. Working steadily around the clock, CIP personnel continued to pick up individuals they considered potentially dangerous. By December 10, 400 individuals were in temporary detention at the Honolulu Immigration Station.¹³⁶ As noted before, of the 1,569 persons eventually detained on suspicion of disloyalty, 1,444 were of Japanese descent.

Within a matter of days, the military achieved the intended goals of martial law: the seizure of suspicious individuals and the instilling of fear into the rest of the Japanese community. As Naval Commander John Ford noted:

Personally...I do not trust any of the Japanese. I honestly believe the majority of them are tainted. It's strange since the "Raid" how very Oriental Honolulu appears...We have been photographing scores of Jap signs to show the character of the town. Now you can hardly see one. They have all taken down their signs and have substituted English lettering. For example; 'Banzai Café'...is now the 'Keep 'Em Flying Café.'¹³⁷

¹³⁵ Harry N. Scheiber and Jane L. Scheiber, “Constitutional Liberty in WWII Hawai‘i: Army Rule and Martial Law in Hawai‘i: 1941-1946,” *Western Legal History* vol. 3, no. 2 (1990): 344.

¹³⁶ “History of the G-2 Section Part II,” JIRHE Item 230, 23.

¹³⁷ “Anti-Japanese Sentiment of Naval Commander,” JIRHE Item 361.

Numerous Japanese families lived in trepidation, worrying that their relatives would be the next to be taken away. Families of the arrested were often not informed for weeks of the whereabouts of their relatives, and other Japanese often shunned these families.

Jukichi Inouye, a former Japanese school principal who was interned, remembered this avoidance:

You should have seen all my neighbors. [Future Senator] Sparky Matsunaga lived right across me. When all the friends, when they see me, they coming this way, they just step aside. They were afraid to talk to me. Later on it got better. They thought anything could happen to them, so they tried to avoid me.¹³⁸

As the military conducted its roundup of suspicious individuals, it effectively silenced any voices of dissent in the Japanese community. Faced with the unknown and with the loss of community leadership, many Japanese felt at the mercy of government and military officials. Local military personnel defended this program as the surest way to “neutralize” the subversive element they feared existed among the Japanese community, stressing that they possessed a superior understanding of the local Japanese.¹³⁹

Because of this cloud of suspicion and fear surrounding the Japanese community, and because of a felt need to prove their loyalty, thousands of Japanese engaged in acts of super-patriotism. Many made the ultimate sacrifice, volunteering for military service and risking their lives for a country that had discriminated against them and stripped away their rights.

These demonstrations of loyalty, however, had little effect on the fate of those who had been arrested at the outbreak of war. One of the first news items of the status of

¹³⁸ “Mr. Jukichi Inouye,” JIRHE Item 234, 5.

¹³⁹ Michael John Gordon, “Suspects in Paradise: Looking for Japanese ‘Subversives’ in the Territory of Hawai‘i, 1939-1945” (master’s thesis, University of Iowa, 1983), 10.

the internees was published on December 22, 1941, two weeks after the attack on Pearl Harbor. That day, a letter appeared in the *Honolulu Star Bulletin* from an alien who had been interned on Kauai. According to Hiseki Miyasaki, "contrary to our expectations we have been treated well...everything is being done to make our stay comfortable. A paradise has made its appearance in what was believed to be a hell."¹⁴⁰ After praising the improvements made to the camp and the freedoms enjoyed by the internees, Miyasaki ended his letter by stating:

Finally we wish to thank the authorities through you [the newspapers] for the protection and kind treatment we are receiving here in the Territory of America under the Stars and Stripes. We are deeply touched by the great American spirit of fair play and magnanimity.¹⁴¹

This benign portrayal of the internment experience was widely circulated around Hawai'i and used to propagate a positive image of the seizure and internment of hundreds of Hawai'i residents. However, this account stood in sharp contrast to other stories that came out of internment centers in Hawai'i. Although there were various camps located throughout the state, most internees were sent by military officials to Sand Island on Oahu where they were interrogated and detained. After an internment camp at Honouliuli on Oahu was completed in the spring of 1943, Sand Island internees were transferred there or shipped off to internment centers on the mainland for the duration of the war.¹⁴² The internment experience in Hawai'i provided telling contrasts to mainland internment

¹⁴⁰ Hiseki Miyasaki, "Aliens Grateful for Treatment," *Honolulu Star Bulletin*, 22 December 1941, A-1.

¹⁴¹ *Ibid.*, A-1.

¹⁴² In addition to the Honouliuli Camp on Oahu, there was also the Haiku Camp on Maui and the Kalaheo Camp on Kauai, as noted by the Swedish Vice Consulate on September 23, 1943. In addition Kilauea Military Center on the Big Island was also used to detain internees before they were sent to Oahu. "Honouliuli, Haiku, Kalaheo Report," JIRHE Item 249.

because of its covert operation, its selectivity, and its harsh segregation of internees.

The military deliberately tried to isolate the leadership of the Japanese community.

On December 7, while Japanese planes continued to fly over Pearl Harbor, the FBI and Army began their roundup of suspicious individuals. Priests, Japanese language teachers, and even fishermen were among the first to be picked up.¹⁴³ Under the cover of darkness, and without any word of explanation to their families, military and government agents yanked Japanese men from their homes and took them to the Immigration Building in Honolulu to await questioning.¹⁴⁴ Later that night, prominent journalist and political leader Yasutaro Soga was grabbed. He remembered Honolulu "look[ing] like a dead town."¹⁴⁵ A curfew and a blackout had been enacted and the only traffic on the road was military vehicles picking up suspects. Under the surveillance of military personnel, suspects were subjected to a body search and their possessions were collected before they were thrown into rooms that often exceeded the capacity of 80 persons. Although there were several rows of three-decked beds and mats spread over the floor, by the time Soga arrived the beds were taken and three or four people lay on each mat. Overcrowding became a common problem as more individuals were picked up than the facilities could accommodate. Darkness and nervousness shrouded the room as everyone talked in whispers and contemplated what would be done to them. A bathroom was located to the

¹⁴³ Although fishermen were not professionals or community leaders as were most of the internees, they had long been suspect and prior to the war were investigated by military officials. Hawai'i's fishing fleet was manned largely by alien Japanese, some of whom had been enlisted men in the Japanese Navy. No charges against the fishermen were ever substantiated, however. Allen, 132.

¹⁴⁴ Arrangements had already been made prior to the attack by the Secretary of War and approved by the Attorney General on May 22, 1941 to convert the Immigration Building into a temporary holding facility. "Re: Immigration Building RG-407," JIRHE Item 307.

¹⁴⁵ "Soga, Translations of My Life behind Barbed Wire (Fukuhara)," JIRHE Item 263, 1.

right of the room and, due to their nervousness and anxiety, the detained men kept on using it until the smell and unsanitary conditions made it intolerable. "No one slept much that first night," remembered Soga, and the close quarters particularly affected many of the elderly internees.

In the morning, familiar faces emerged from the crowded confines of the rooms. The men shared the stories of their arrests as they nervously awaited the interrogation process. Minosuke Hanabusa, a retired Waianae fisherman who was part of the first group of detainees, recalled his tense wait and questioning:

I didn't know what they were going to ask. They had a pistol placed in front of the questioning man. They had two of them with guns asking me all kinds of questions. I didn't know...I neve[r] did anything like that [espionage]...those 2-3 hours, I really suffered from the questioning. Especially when I had no information or knowledge in what they were asking. They had me facing that overnight.¹⁴⁶

Arrest and interrogation experiences varied for each individual as the harshness of the treatment depended on each Military Police (MP) or FBI official. However, many interviews were conducted under the veiled threat of force. According to Soga, the attitude of the officials was "bloodthirsty," as they already considered Japanese guilty.¹⁴⁷ Even after lengthy interrogations, internees were not allowed to leave the premises or contact their families about their status and well-being. The Immigration Center became their temporary home until further arrangements could be made.

Life in the Immigration Center afforded few luxuries and inmates faced constant reminders of their status as prisoners. Armed guards with bayonets monitored meals and

¹⁴⁶ "Mr. Minosuke Hanabusa, TR-3," JIRHE Item 234, 4.

¹⁴⁷ "Soga, Translations of My Life behind Barbed Wire (Fukuhara)," JIRHE 263, 4.

allowed internees only ten to twenty minutes outside after each meal before being herded back to their rooms. In addition, meals were served in the yard even when it rained, despite the fact that covered facilities were available nearby. Sometimes the mess kits were too dirty for use as the Japanese prisoners had to wash their dishes in the same water that Hawaiian and Portuguese prisoners had used earlier. "I couldn't stand that," said Soga, as "even these prisoners looked down on us."¹⁴⁸ This comment was particularly revealing for its class and racial overtones. Many of the Japanese internees were middle and upper class professionals who had advanced economically beyond most plantation workers. According to internee Hisashi Fukuhara, "Ordinary farmers didn't go. Everyone was either a store manager or banker o[r] newspaperman."¹⁴⁹ As leaders, they had been well insulated within the Japanese community and from other ethnic groups or social classes. Being publicly humiliated and degraded before these other prisoners was particularly damaging to their sense of self-worth and identity.

After a few days, soldiers carrying bayonets and machine guns transferred the detainees to Sand Island where internment facilities had been constructed. However, before entering the camp all personal belongings were confiscated and the detainees were again strip-searched and checked for possible weapons. According to Hanabusa, "in the process they stripped us down and even checked the anus. We were completely naked. Not even the shorts. They even checked our assholes."¹⁵⁰ This systematic humiliation of the internees was part of a concerted effort on the part of military officials to degrade and

¹⁴⁸ "Soga, *Translations of My Life behind Barbed Wire* (Fukuhara)," JIRHE 263, 5.

¹⁴⁹ "Mr. Hisashi Fukuhara, TR-1," JIRHE Item 232, 5.

¹⁵⁰ "Mr. Minosuke Hanabusa, TR-3," JIRHE Item 234, 4.

weaken the leadership of the Japanese community in Hawai'i. As Myoshu Sasai recalled, "They were just playing games with us...that was also a part of war."¹⁵¹ While these internees directly experienced military brutality on a day-to-day basis, internment had an immediate impact on the entire Japanese community as it demonstrated the power of the military authorities. Internment succeeded in its purpose as it instilled timidity in the rest of the community by allowing the military to assume control over literally every aspect of the lives of these once powerful Japanese individuals.

Separation and isolation from the rest of the Japanese community was just one of the methods that the military used to break these prisoners. This strategy continued when the internees were transferred from the Immigration Center to Sand Island. Sand Island Detention Camp was hastily set up on December 8, using the existing facilities of the Quarantine Station. Despite protests from the Acting Surgeon General in Washington, who had argued on behalf of the Public Health Service that had occupied the facilities, the Quarantine Station was simply taken over by the Army.¹⁵² The Army had planned to use Sand Island since April 1941, due to its strategic location. Although it was adjacent to Honolulu, it was separated by water; as an island, it could be easily guarded to prevent escapes. In addition, it was near the Office of the Military Governor located in Iolani Palace, but in an isolated location away from strategic targets. Further, the facilities at the

This humiliating experience belies an official assurance by the Office of Internal Security that at no time were the internees "subjected to embarrassment during the search" that was propagated throughout Hawai'i.

¹⁵¹ "Mr. Myoshu Sasai," JIRHE Item 239, 4.

¹⁵² "Transfer of Quarantine Station RG 407," JIRHE Item 305.

Quarantine Station were in excellent condition and could readily be converted into a camp. Once martial law was declared, the Army simply took over the facility.¹⁵³

By the end of the war's first week, a total of about 300 internees were housed at Sand Island. The physical plant was divided into four compounds: two compounds were each to house up to 250 Japanese; one compound was designated to hold women of various races; and the final compound was set aside for 25 Germans and Italians. Each compound constituted a distinct unit, appointing its own spokesperson who would deal directly with the authorities. However, the military did not feel compelled to address internee complaints and the military could replace any leaders who caused too much trouble. In his memoirs, Soga detailed an incident that occurred on December 30, 1941, when "Admiral" Ohtani upset a "Captain E" by insulting one of the soldiers. According to Soga, "Captain E told all of us in a threatening look that Ohtani should have been primarily shot to death."¹⁵⁴ As punishment, Ohtani, surrounded by several guards, was sent to an isolated warehouse on the property and confined for a week with water and hard crackers.

The living conditions of his fellow internees were not much better. For the first six months, internees were housed in tents that the first group of internees had constructed under the direction of guards at night in the pouring rain. "Most of us never

¹⁵³ The Sand Island Detention Camp was used for 15 months and during that period about \$500,000 was spent on various additions and improvements. On March 1, 1943, all remaining internees were moved to the new Honouliuli Internment Camp in Ewa, and Sand Island became part of the expanded Honolulu Port of Embarkation. The Immigration Center continued to be used for the temporary custody of aliens pending interrogation and internment hearings.

Dennis M. Ogawa and Everts C. Fox Jr., "Japanese Internment and Relocation: The Hawaii Experience" (paper presented at the International Conference of Relocation and Redress: The Japanese-American Experience, March 1983), 4.

¹⁵⁴ "Soga, Translations of my Life Behind Barbed Wire (Fukuhara)," JIRHE Item 263, 9.

did this type of work,” remembered Soga, as many of the internees were elderly professionals who were unused to manual labor. “We were soaking wet from rain and perspiration, and finally we finished building tents about 9 o’clock at night.”¹⁵⁵ When the tents were finally erected, the exhausted internees lay down on makeshift beds and went to sleep in their wet clothes. No improvements were made to their housing in the morning or for months afterwards, and throughout the winter and spring internees lived in this manner. During the day the tents became unbearably humid inside and, when it rained, water dripped through the porous canvas and flooded the ground. The tents also provided little protection against the wind that swept through Sand Island or the night cold. Many of the internees wore the same clothes in which they were apprehended, and they were not allowed additional clothing until restrictions were relaxed. Internees were housed in this manner until the barracks were completed in May 1942.

Life at Sand Island was characterized by military regimentation and alternating bouts with feelings of fear and boredom. Every day there were morning and evening roll calls, with each company rotating in kitchen duty, latrine cleaning, and general maintenance work of the camp. At first, Suikei Furuya noted, kitchen patrol (KP) was used as “light punishment” by authorities, but as restrictions were lifted it became part of the routine work.¹⁵⁶ Often, roll would be called for trivial matters and formation would be held throughout the day. At other times, upon hearing whistling, internees had to gather and line up for inspections. In extreme cases this was done as many as seven to eight times per day, demonstrating the complete authority of the military.

¹⁵⁵ “Soga, Translations of My Life behind Barbed Wire (Fukuhara),” JIRHE Item 263, 6.

¹⁵⁶ “Furuya, Suikei (translation) Haisho Ten-Ten,” JIRHE Item 257, 4.

Aside from routine chores, internees were made to pick weeds, clean the yard, and swat flies just to keep busy. No one was excused from “fatigue duty,” as these meaningless activities were called, except those who were ill. Under the terms of the Geneva Convention, internees could not be compelled to work other than to assist in the maintenance of the camps. However, on more than one occasion elderly internees were used as strikebreakers and put to work constructing the double wire fences around the camp after construction workers hired for the task walked off the job. “What I didn’t understand,” remembered Furuya, “was that the old men were put to work despite available young internees like me.”¹⁵⁷ Although military officials denied this incident, the Japanese government filed a formal complaint soon after.¹⁵⁸ As aliens, many of the internees filed grievances through the Japanese government. They understood from their own internment experience that they were considered guilty before proven innocent within the American system of justice. While the validity of this claim cannot be determined beyond this oral testimony and the formal complaint filed by the Japanese government, the usage of Japanese internees for labor ended and no other reports were filed thereafter.

Although alcohol was prohibited in camp, smoking was permitted and internees each received a ration of rolled and unrolled cigarettes. It was not uncommon to see a gathering of seven or eight people taking turns puffing on a single cigarette in order to make the best use of their meager supply. When cigarette wrappers ran out, which they often did, toilet paper was used to roll the tobacco. Matches were similarly limited and

¹⁵⁷ “Furuya, Suikei (translation) Haisho Ten-Ten,” JIRHE Item 257, 7.

¹⁵⁸ “S-27 Internee Treatment,” JIRHE Item 416, 1.

could only be obtained by the company commander. As a result, many resourceful individuals split matches in two to make them last longer. This creativity and resourcefulness allowed some internees in the camps to exert control over their lives and subversively challenge the military presence and authority in their lives.

Despite overt hostility from most of the guards, who were ROTC cadets from the University of Hawai'i, there were small acts of kindness that mitigated the harshness of the internment experience. As Furuya recalled, "the son of a senator Heen deliberately used to drop his unsmoked cigarettes for us. He probably did this because he knew Mr. Ohtani who was a spokesperson representing us in the camps."¹⁵⁹ However, these acts of kindness were few and far between as racial and class differences as well as language barriers separated guards from the prisoners. For the most part, internees' lives were defined by regimentation and degradation by military authorities.

As part of their restrictions, detainees were not permitted papers, pencils, or even matches to light their cigarettes at night. When night fell, darkness enveloped the camp as lights were forbidden. All activity was similarly restricted and internees could not leave their tents after 6:00 p.m. except to use the bathroom. When they left the tent for that purpose, they were often challenged by guards and had to answer 'prisoner,' otherwise they would be shot. Even their most personal functions were monitored and restricted by the military. The internees had to suffer daily injustices under the threat of death that reaffirmed their status as prisoners. In essence, this paralleled their earlier life under the *lunas* on the plantations, where their lives were similarly controlled and regimented. On

¹⁵⁹ Mistakes that appear in the spelling exist in the original and are reproduced for authenticity. "Furuya, Suikei (translation) Haisho Ten-Ten," JIRHE Item 257, 4.

the plantations, Japanese were treated as second-class citizens who were denied fair pay, humane treatment, and any recourse to protest against the demeaning and harsh working conditions. They were controlled by not only the fear of losing their employment but also by an underlying threat of violence by the overseers or *lunas*. However, in this case, the threat of force was very real and they were prisoners in the literal sense, under armed guard and confined within barbed wire.

Although duties were rotated, there was a hierarchy of positions in the camp that generally privileged whites at the expense of Japanese internees. While a German cook prepared the food, the Japanese were restricted to KP and assigned miscellaneous duties and menial tasks. Meals were often western dishes with few fruits or vegetables and “smothered in butter,” making it nearly inedible for Japanese. This resulted in so many protests that the Office of Internal Security was forced to address a compliant filed by the Japanese government on behalf of the internees.¹⁶⁰ In addition, no private time was allowed even during meals, and at least one guard was always stationed in the mess hall. Hisashi Fukuhara discussed the mess experience: “At the beginning in camp, over there at the mess hall where we went to eat, the guards had bayonets attached to their rifles and they lined up on both sides of the mess hall and we had to walk down the middle. They thought we would try to escape. Yea, we had to walk down the middle.”¹⁶¹ Many guards often cautioned internees from leaving too much food as scraps, and some even forced internees to eat what was left uneaten.

¹⁶⁰ “S-28 Treatment of Civilian Internees at Sand Island,” JIRHE Item 417, 3.

¹⁶¹ “Mr. Hisashi Fukuhara,” JIRHE Item 232, 5.

Barbed wire fence surrounded the camp with a white line drawn 10 feet from the enclosure. Anyone found in that zone would be considered an escapee and shot. In one instance, a Buddhist priest, a Shinto priest, and a principal of a Japanese language school were found wandering beyond the white lines. Fortunately, when the alarm was sounded no one was shot and they were escorted back to the designated area.¹⁶² This story was again widely circulated among the internees as a reminder of the constant military presence and a warning about strict and surveillance of their actions.

There were also limits to fraternizing with other prisoners. In his memoirs, Yasutaro Soga recounted an incident where the Reverend Kuchiba of Hongwanji Betusin, and Matsuda, the Branch Manager of Shokin Ginko, and another man were caught violating the rule of three people conversing at one time. Although this law was justified on the basis that it was to prevent planning escapes or prisoner uprisings, it was inherently designed to weaken the internal bonds of the community and the organization of leadership. In this specific case, as punishment, each had to carry a large shovel and dig outside the compound for unexploded shells from the Pearl Harbor attack, a job that was dangerous and usually left to the Japanese internees who were seen as expendable.¹⁶³

Communication with friends and family on the outside was similarly restricted. Everything that was addressed to the internees was thoroughly inspected and in some cases confiscated. Outgoing letters were only sent out once at a certain hour of the week and were subject to military censorship. According to Mrs. Jukichi Inouye, whose husband was sent to Sand Island, there were "a lot of windows" in the letters as the

¹⁶² "Soga, Keiho (trans.) My Life Behind Barbed Wire," JIRHE Item 264, 4.

¹⁶³ "Soga, Keiho (trans.) My Life Behind Barbed Wire," JIRHE Item 264, 2.

military censors cut out certain portions, “especially the date and what you did that day.”¹⁶⁴ In addition, the content of the letters themselves was limited as each detainee was only allowed one sheet of stationary and one envelope, all kept under lock and key. Since letters had to be written in English, the few people who understood English were kept very busy with correspondence since these letters were the only means of communicating with the outside. The difficulties in correspondence were illustrative of a series of laws and regulations that existed within the camp designed to isolate individuals from each other, their families, and the wider community.

The atmosphere of the camps was suffused with intimidation and suspicion. When two people were mistakenly declared missing from the roll call, the entire camp was put on alert until they were “found.” Similarly, when a soap container was misplaced, everyone was searched until the missing article was located. Although the container was later recovered, during the search a piece of a nail and some money were discovered on one individual. As a result of these infractions, this particular individual was forced to forfeit his cigarette ration for several weeks.¹⁶⁵ No one was safe from these inspections and unless individuals reported various infractions, they could be also found guilty of the crime. In addition, internees often participated in designating punishment for fellow internees, making justice even more arbitrary and further spreading tension, division, and mistrust in the camp.

The arbitrary nature of justice and the pervasive threat of punishment in the camps had a profound affect on many internees who came to distrust authority. They

¹⁶⁴ “Mr. Jukichi Inouye TR-5,” JIRHE Item 236, 5.

¹⁶⁵ “Soga, Keiho (trans.) “My Life Behind Barbed Wire,” JIRHE Item 264, 4.

understood that their every action was monitored and examined by the military guards who could shoot them on the least provocation. They would be merely regarded as another casualty of the war. In one incident, “old man Tachibana” refused to leave the internment center—despite having been pardoned—because he feared reprisals by the authorities. On the morning of the Pearl Harbor attack, several Japanese fishermen from Kakaoka were killed by Army machine gun fire. Among the casualties were two friends of Tachibana, who was himself a former fisherman from Kakaoka. When he was paroled, Tachibana refused to leave Sand Island and instead requested a written document as proof of his innocence. Otherwise, he said, he could be picked up again. When a guard attempted to put him into a car, Tachibana again resisted. Instead, he opted to walk home. He believed that if put into the car, he would not know where they might take him.¹⁶⁶

Tachibana’s paranoia about the military, despite proof of his innocence, had some basis as there were a number of people in the camps who never fit any of the criteria used to justify internment. Their cases were seen as particularly arbitrary extensions of “justice.” The wife of Shigemaru Miyaoh was interned because she was mistakenly believed to be her mother-in-law, as both of them signed their names “Y. Miyaoh.”¹⁶⁷ Both were interned while the rest of the family was left to raise Miyaoh’s three infant children, the oldest of whom was only five years old. Although Miyaoh testified at military hearings that she was merely a housewife and was not involved in any church activities, she was not allowed to return home. In another instance, when authorities came to pick up a Mr. Yamane because he had visited Japan immediately before the war, his

¹⁶⁶ “Soga, Keiho (trans.) “My Life Behind Barbed Wire,” JIRHE Item 264, 5.

¹⁶⁷ “Furuya, Suikei (translation) Haisho Ten-Ten,” JIRHE Item 257, 5.

English-speaking wife protested to the authorities that there was no reason for her husband to be arrested. Subsequently both were picked up and incarcerated until the end of the war.¹⁶⁸

Daily camp life affected individuals in various ways, as their unknown fates and the ever-possible threat of violence disturbed many of the internees in different fashions. Some became dissolute, hardened, and at least one had a nervous breakdown. The priest of the Inari Shrine, for example, thought he was pregnant and needed to be released for psychiatric treatment. Although he eventually recovered, stories such as this were common and indicative of the daily stresses of the camp.¹⁶⁹ As Hanabusa explained:

It was just spiritual despair. We didn't know how long we were going to be in there or when the war was going to end, it wouldn't have been too bad if we knew how long we were going to be in there. If they told me so, I would be there so many months, it would have been more bearable. That's how we all were suffering.¹⁷⁰

Many became withdrawn and frustrated with the inactivity of the camps and their inability to challenge their status as suspicious individuals. Some particularly felt the social stigma of internment, according to Soga, "especially those internees who used to boast in the Japanese communities." As he noted, they "looked...depressed" and were "but a shadow of their former selves."¹⁷¹ In essence, the military accomplished its goal of breaking the leadership of the Japanese community through internment. While some resisted, many became dissolute and depressed. "We ended up where we were,"

¹⁶⁸ "Furuya, Suikei (translation) Haisho Ten-Ten," JIRHE Item 257, 5.

¹⁶⁹ "Soga, Keiho (trans.) My Life Behind Barbed Wire," JIRHE Item 264, 4.

¹⁷⁰ "Mr. Minosuke Hanabusa, TR-3," JIRHE Item 234, 6.

¹⁷¹ "Soga, Translations of My Life Behind Barbed Wire (Fukuhara)," JIRHE Item 263, 9.

remembered Furuya. "We couldn't do anything about it. It couldn't be helped."¹⁷² An attitude of *shikataganai*, or "it can't be helped" pervaded the camps. By accepting the inevitable, by accepting the hopelessness of their situation, many *Issei* were able to survive the degrading and demoralizing experiences of the camps.

The use of race as a justification for the arrest and dehumanizing treatment of individuals not only applied to the Japanese, but also to other suspicious Europeans living in Hawai'i. In addition to the 1,500 Japanese detainees, 114 Germans, 2 French, and 17 Italians were also investigated on suspicion of possible covert activity.¹⁷³ They were housed separately from the large majority of Japanese men and segregated from the women. However, the separation of races was not always successful. In Soga's memoirs he recounts numerous occasions when Japanese internees were often mistakenly interned with Germans and Italians. In January 1942, Reverend Deme of Waipoa was suddenly paroled from the Japanese camp but with no official explanation accompanying his release. Later, internees were told by new arrivals that Deme was being held at the Immigration Center and kept with the Germans. This case of mistaken identity was due to the fact that Deme is also a German name. As his first name "Josen" was misspelled "Joseph," he was treated as though he were a German. Other occurrences of mistaken ethnicity included the name Maeda being mistaken for the German name Meida, and Ipponsugi for the Russian name Iponsky.¹⁷⁴

Although they constituted a small percentage of the internees, the German internees were among the first to lodge a complaint against their internment and martial

¹⁷² "Furuya, Suikei (translation) Haisho Ten-Ten," JIRHE Item 257, 3.

¹⁷³ "History of the G-2 Section Part II," JIRHE Item 230, 26.

¹⁷⁴ "Soga, Keiho (trans.) My Life Behind Barbed Wire," JIRHE Item 264, 5.

law. On October 13, 1942, a letter was sent to the Attorney General in Washington, D.C. from Alfred J. Snyder, Esq. who was representing Mrs. Albert Mehl, whose husband, an American citizen, had been interned at Sand Island following December 7. In this letter, Snyder not only demanded to know the present status of Albert Mehl but also the nature of charges filed against him and an indication when a prompt determination of his case would be made. Although the outcome of this petition is unknown, less than a year later two other German internees, Walter Glockner and Erwin R. Seifert, challenged martial law by petitioning for *writs of habeas corpus*, a right suspended under martial law. This represented a particular challenge to the activities of the CIC and the right to search and make arrests. Although this attack on martial law was ultimately unsuccessful, Glockner and Seifert were evacuated to the mainland and released, thus achieving their goal. However, this incident opened doors for other attacks on martial law and mounting political and legal pressure resulted in its demise.¹⁷⁵

¹⁷⁵ Nine months later, a war worker sentenced in Provost Court petitioned for *writ of habeas corpus*. This was upheld by a federal judge who declared martial law non-existent.

Chapter 6. “Shadows of Their Former Selves”: The Legacy of Martial Law for Hawai‘i’s Japanese Leaders

“The children suffered. No one would play with the children of the internees...My girl was returning home from the library. She was stopped and told, ‘This is not Japan. This is the United States. I want you to respect it.’ They stopped her with the intent to punish her. And then, my boy was up in an ohia tree. They didn’t bother the other boys, just my boy. They told him the same old stuff. They teased him...even me. We had a tough life.”¹⁷⁶

According to this account by Hisashi Fukuhara, a retired barber from the Kona coast of the Big Island, the impact of internment not only affected the internees themselves but also their family members who were treated with fear and suspicion by the other members of the community. During the war, many family members anxiously awaited news of the status of the prisoners and an indication when normal government operations and civilian life would resume. On October 25, 1944, martial law ended with the proclamation of Presidential Order 9489. The Provost Courts were immediately abolished but other changes made were largely symbolic: the title of Military Governor became *Military Commander* and the Office of the Military Governor was designated the Office of Internal Security. The CIC was still granted the authority to continue its investigative jurisdiction over all cases of espionage, but it now had to operate through more indirect channels. After October 25, citizens were no longer placed in custodial detention but were immediately evacuated to the mainland. In addition, the Commanding General of the Territory of Hawai‘i Military Area still possessed the authority to exclude anyone from Hawai‘i who was considered to be dangerous to security for sabotage or

¹⁷⁶ “Mr. Hisashi Fukuhara,” JIRHE Item 232, 6.

espionage reasons.¹⁷⁷ On October 24, 1944, 67 Japanese and 50 aliens remained at the Honouliuli Internment Facility but by November 9, the 67 Japanese-Americans were sent to Tule Lake, while the 50 aliens were gradually released on parole. On the day that the war ended, the 22 remaining aliens were finally released.

Upon returning to their homes and communities, many internees had to face the challenge of rebuilding their lives. Jukichi Inouye, a former Japanese language school principal, found his entire livelihood gone as the military had disposed of his school and given most of the proceeds to the Salvation Army. "So when I got back," Inouye recalled, "there wasn't anything I could do. Everything was sold or cleaned out. I could sit and do nothing. I couldn't eat then. With a daughter, I wondered what would happen next."¹⁷⁸ Fortunately, his wife had been making a living as a dressmaker while Inouye had been interned, and she was able to support the family until Inouye found a new job. This proved to be an enormous challenge as many internees carried a stigma from their experience and were shunned by the community as unpleasant reminders of the wartime experience. A former language schoolteacher, Kaetsu Furuya testified about his return by ship to Honolulu: "there were people in Honolulu, other passengers...who didn't like to hear about the internees and looked down on us, and ignored us." Many like Furuya had lost all their money during the war and were in poor physical shape from the camps, which made even low-paying manual labor impossible. Numerous individuals suffered from physical ailments such as ulcers and had lost weight from the camps. However,

¹⁷⁷ In a letter to the Secretary of the Interior dated February 23, 1945, Secretary of War Henry L. Stimson deferred all questions about the status of Hawai'i evacuees to the Military Commander of Hawai'i. "Restrictions, Return of Hawai'i Evacuees RG 338," JIRHE Item 338.

¹⁷⁸ "Mr. Jukichi Inouye TR-5," JIRHE Item 236, 1.

none of this was reported during their internment due to military censorship.

According to Furuya, “if we wanted to say we lost weight, we’d have to write ‘my pants is getting bigger and bigger’ or ‘my pants is loose’—anyway we couldn’t say, ‘I’ve lost so much weight that my pants is falling down.’”¹⁷⁹ The military restricted their communication while in the camps and in the process essentially censored any full record of the physical and psychological effects of the camp experience.

The emotional and physical scars from the camps lasted long after internment was over. Many Hawai‘i internees were not only ignored by the white community when they returned home, but they were also shunned by the larger Japanese community as they represented an unwelcome reminder of the war and the trauma of anti-Japanese sentiment. This became particularly true as Hawai‘i’s Japanese embraced a triumphalist discourse on their wartime experiences, focusing on the military valor and bravery of Japanese units such as the 100th Infantry Battalion and 442nd Regimental Combat Team.

While these internees represented less than one percent of the total Japanese population in the islands and constituted a minority within the mainland internment centers, numbers alone do not accurately convey the impact of the internment experience on the Japanese community in Hawai‘i. As priests, teachers, and politicians, these interned individuals had a significant place within the Japanese community. During the war, when the Japanese community most needed leadership, it was without its spiritual, cultural, and political leaders. The impact of internment upon those individuals who suffered from military brutality and who were humiliated at the hands of government

¹⁷⁹ “Mr. Kaetsu Furuya TR-2,” JIRHE Item 233, 6.

officials has yet to be recognized. Their internment experiences revealed a depth of racist sentiment among military officials, who in acting beyond civilian governmental authority set about destroying the lives of these individuals. Thus internment offers a cautionary tale about the nature of absolute authority, even in the event of war, and reveals how racist fears and animosities can easily dehumanize individuals and justify infringements of civil and human rights. That internment occurred in Hawai‘i was particularly striking since Hawai‘i’s racial tolerance and “aloha spirit” were believed to have mitigated racial conflict and discontent. Internment in Hawai‘i forces a re-examination of the myth of Hawai‘i’s exceptionalism—its imagined status as a racial paradise—and spotlights the role of race in the appropriation and legitimization of power and authority.

The period between 1928 and 1944 witnessed a series of events that reinforced a negative image of the *Japanese community in Hawai‘i* held by some among the island’s white elite and United States military officials. The Jamieson murder was perceived as a direct attack on the white oligarchy that was committed by a “quiet” and “industrious” Japanese whose qualities made him indistinguishable from the rest of the Japanese community and allowed him to evade capture for nearly a week. Myles Fukunaga, the convicted murderer, seemed to represent the “typical” Japanese who, if given the opportunity, would commit violence against local whites—especially those in positions of economic power. Only three years later, a Naval wife, Thalia Massie, accused a group of local men, which included a Japanese, of a brutal beating and rape that raised vociferous condemnation of and opposition to the local population by military officialdom. Both events united two powerful groups who had a vested interest in

Hawai'i's future and shared the goal of controlling the Japanese community economically and politically. Initially, a dual-system of justice sufficiently privileged and protected whites at the expense of minorities such as the Japanese. However, the conviction of Grace Fortescue and three Navy officers for the killing of the Hawaiian defendant, Joseph Kahahawai—a sentencing that was nonetheless later reduced to one hour served—seemed to demonstrate weakening white control in the islands. Subsequently, martial law was seen as the only viable option to suppress and weaken a disloyal and dangerous Japanese population. Prior to the war, plans for the institution of martial law in the islands had already been formulated, as had a “pick-up” list of individuals to be apprehended because they were seen as particularly threatening.

With the attack on Pearl Harbor, local elites and military officials found the justification needed to implement martial law, which contained convenient and inherently racist policies directed at the Japanese community. This was in part reflected in the lengths most of Hawai'i's Japanese went to prove their loyalty amid the cloud of suspicion that surrounded them during the war. The more revealing insights into the policies of the military government can be found in the treatment suffered by nearly 1,500 local Japanese at the hands military officials who were allowed to treat the internees with brutality and cruelty. Military officials in the camps embraced policies that isolated and humiliated internees and in essence attempted to break the spirit of those who represented the leadership of the Japanese community in Hawai'i. These prisoners became examples for the rest of Japanese population, intimidating them and making community-wide internment unnecessary. This policy also enabled the rest of the

Japanese population to continue working during a time of labor shortages in Hawai'i, which benefited many of the white elites whose companies employed Japanese workers.

Contrary to the dominant historical narrative, martial law and internment in the islands did not originate from an "enlightened" policy emanating from the islands' more tolerant racial atmosphere that embraced Hawai'i's unique ethnic mix. Instead, they sprang from a long, antagonistic history between select whites in the islands and select Japanese who seemed to pose an ever-growing threat to white hegemony and control. This period between 1928 and 1944 offers revealing insights into issues of race, class, and power in Hawai'i. The history of this era demands a more critical analysis of Hawai'i's legal and racial policies before and during World War II, and suggests the larger significance of the experiences of the 1,500 internees within Hawaiian and American history. The leaders incarcerated during the war may have become mere "shadows of their former selves," but they also helped to expose a dual system of law in Hawai'i and to cast a shadow over the territory's reputation for racial and ethnic harmony.

Bibliography

- "3 Still Held by Police, 4 in Oahu Prison." *Honolulu Star Bulletin*, 21 September 1928, 1.
- Ala Moana Assault Trial Transcript, Papers of Governor Lawrence M. Judd, Hawai'i State Archives.
- Allen, Gwenfread. *Hawai'i's War Years*. Westport, Connecticut: Greenwood Press, 1971.
- Anthony, Garner J. *Hawaii Under Army Rule*. Honolulu: The University Press of Hawai'i, 1955.
- "Anti-Japanese Sentiment of Naval Commander." JIRHE Item 361.
- Armstrong, Walter P. "Martial Law in Hawai'i." *American Bar Association* vol. 29 (Dec. 1943): 698-709.
- Associated Press. \$30,000 is Being Raised to Help Mrs. Fortescue." *Honolulu Star Bulletin*, 3 March 1932, 1.
- Associated Press. "Investigator Praises Jury System Here." *Honolulu Star Bulletin*, 26 April 1932, A-1.
- Associated Press. "Two Measures in Committee on Case Here." *Honolulu Star Bulletin*, 4 May 1932, 1.
- "Balch Says Japs Will Dominate Islands Unless Many Removed." *Honolulu Star Bulletin*, 16 January 1943, 1.
- "Believe Three Men Involved in Kidnapping." *Honolulu Star Bulletin*, 19 September 1928, 1.
- Center of Oral History Social Science Research Institute University of Hawai'i at Manoa. *An Era of Change: Oral Histories of Civilians in WWII Vol. I*. Honolulu: Center of Oral History, Social Science Research Institute, University of Hawai'i at Manoa, 1994.
- Cheng, Ch'eng-Kun. "A Study of Chinese Assimilation in Hawaii." *Social Forces* vol. 32, no. 2 (December 1953): 163.
- Coffman, Tom. *A Nation Within: The Story of America's Annexation of the Nation of Hawai'i*. USA: Epicenter, 1998.

"Current Comment." *Honolulu Star Bulletin*, 18 May 1932, 6.

Emergency Service Committee. *The AJA –Their Present and Future*. Honolulu: N.p., [1940?].

Flanagan, Cabell V. "Servicemen in Hawai'i-Some Impressions and Attitudes Toward Hawai'i." *Social Processes in Hawai'i* Vol. IX-X (July 1945): 85.

Frankel, Chuck. "'Pressured' in Massie Case, Says Ex-Governor." *Honolulu Star Bulletin*, 13 February 1967, A-1.

"Fukunaga Did Not Know Boy Victim Before His Crime." *Honolulu Star Bulletin*, 24 September 1928, 2.

"Fukunaga Tried to Join In Manhunt For Self." *Honolulu Star Bulletin*, 24 September 1928, 1.

"Furuya, Suikei (translation) Haisho Ten-Ten." JIRHE Item 257, 4.

Gordon, Michael John. "Suspects in Paradise: Looking for Japanese 'Subversives' in the Territory of Hawai'i, 1939-1945." Master's thesis, University of Iowa, 1983.

"Harry Kaisan Held; Wrote Letter, Claim." *Honolulu Star Bulletin*, 19 September 1928, 1.

Hatanaka, Yuriko, and Kimie Kawahara. "The Impact of War on an Immigrant Culture." *Social Processes in Hawai'i* vol. VIII (Nov. 1943): 42.

Hawai'i Chronicles III: World War Two In Hawai'i From the Pages of Paradise of the Pacific. Edited by Bob Dye. Honolulu: University of Hawai'i Press, 2000.

Hawaii Legislature. Special Session 1932. *Journal of the House of Representatives of the Territory of Hawaii, In Special Session 1932*. Wailuku, Maui, 1932.

Hawai'i Social Research Laboratory. *What People are Saying and Doing: Report No. 1*. Honolulu: Hawai'i University, 1944.

Hawai'i State Archives. Folder 203. RECORD OF QUASI-JUDICIAL EXECUTIVE ACTIONS. Record of Gov., Terr. Of Hawai'i, Re: Quasi-Jud. Ex. Actions Death Warr., Repriv., Re Docs.: Myles Yukata Fukunaga 1929, November 1930.

Hazama, Dorothy Ochiai, and Jane Okamoto Komeiji. *Okage Same De: The Japanese in Hawai'i 1885-1985*. Honolulu: Bess Press, 1986.

- "Mr. Hisashi Fukuhara, TR-1." JIRHE Item 232, 5.
- "History of the G-2 Section Part I." JIRHE Item 229, 8.
- "History of the G-2 Section Part II." JIRHE Item 230, 23.
- Honce, Charles. "Massie Trial Ranked 9th in News of the Year." *Honolulu Star Bulletin*, 2 January 1933, A-1.
- "Honouliuli, Haiku, Kalaheo Report." JIRHE Item 249.
- "Japanese Consular Officials Will Aid in Jamieson Hunt." *Honolulu Star Bulletin*, 19 September 1928, 1.
- "Mr. Jukichi Inouye." JIRHE Item 234, 5.
- "Mr. Jukichi Inouye TR-5." JIRHE Item 236, 5.
- "Mr. Kaetsu Furuya TR-2." JIRHE Item 233, 6.
- "Killer Visited The Scenes of Happier Days." *Honolulu Star Bulletin*, 24 September 1928, 1.
- Kimura, Yukiko. "Some Effects of the War Situation Upon the Alien Japanese in Hawai'i." *Social Processes in Hawai'i* vol. VII (1945): 18.
- Kotani, Roland. *The Japanese in Hawai'i: A Century of Struggle. The Official Booklet of the Oahu Kanyaku Imin Centennial Committee*. Honolulu: The Hawaii Hochi, Ltd., 1985.
- Letter of J.P.O to John Kelley, 11 May 1932, Papers of John Kelley, Hawai'i State Archives.
- "Letter Sent Jamieson Demands \$10,000 For Return of Young Son." *Honolulu Star Bulletin*, 19 September 1928, 1.
- Lind, Andrew. "The Japanese in Hawai'i Under War Conditions." Paper presented at the Eighth Conference of the Institute of Pacific Relations, Honolulu, 1942.
- "Martial Law Will Not Be Declared Yet." *Honolulu Star Bulletin*, 20 September 1928, 3.
- Marumoto, Masaji. "The Ala Moana Assault Case And The Massie Fortescue Case Revisited After Half a Century." *University of Hawai'i Law Review* vol. 5 no. 2 (Winter 1983): 276.

- Mc Killips, Drew. "I've Had to Live with this Thing for 35 Years." *Honolulu Advertiser*, 14 June 1968, A-1.
- "Mr. Minosuke Hanabusa, TR-3." JIRHE Item 234, 4.
- Miyasaki, Hiseki. "Aliens Grateful for Treatment." *Honolulu Star Bulletin*, 22 December 1941, A-1.
- Moon, Ronald T.Y. "The Case for Judicial Independence." *Honolulu Star Bulletin*, 24 July 1999, 4.
- "Mr. Myoshu Sasai." JIRHE Item 239, 4.
- Office of the Chief of Military History, Special Staff, U.S. Army, "United States Army Forces Middle Pacific and Predecessor Commands World War II- 7 December 1941- 2 September 1945, History of the G-2 Section, Part I." JIRHE Item 229.
- Ogawa, Dennis. *Jan Ken Po: The World of Hawaii's Japanese*. Honolulu: University of Hawai'i Press, 1973.
- Ogawa, Dennis. *Kodomo No Tame Ni: For the Sake of the Children*. Honolulu: University of Hawai'i Press, 1978.
- Ogawa, Dennis M. and Evarts C. Fox Jr., "Japanese Internment and Relocation: The Hawaii Experience." Paper presented at the International Conference of Relocation and Redress: The Japanese-American Experience. March 1983.
- Okihiro, Gary Y. *Cane Fires: The Anti-Japanese Movement in Hawaii 1865-1945*. Philadelphia: Temple University Press, 1991.
- Okumura, Jonathan Y. "Race Relations in Hawai'i During World War II: The Non-internment of Japanese Americans." *Amerasia Journal* vol. 26 no. 2 (2000): 127.
- Owen, Russell. "Assault Cases Here Seen As Inescapable Result of Conditions Long Brewing." *Honolulu Star Bulletin*, 26 March 1932, 1.
- Owen, Russell. "Vital Issues in Death Case are Stressed." *Honolulu Star Bulletin*, 27 April 1932, 1.
- Packer, Peter and Bob Thomas. *The Massie Case*. USA: Bantam Books, Inc., 1966.
- "Parents Voice Deepest Regret For Occurrence." *Honolulu Star Bulletin*, 24

September 1928, 1.

Perry, Hamilton Darby. *The Panay Incident: Prelude to Pearl Harbor*. New York: Macmillan, 1969.

Pinkerton National Detective Agency. *Ala Moana Assault Case*. New York: N.p. 1932.

"Ransom Note Written by an Oriental Hand." *Honolulu Star Bulletin*, 19 September 1928, 1.

"Restrictions, Return of Hawaii Evacuees RG 338." JIRHE Item 338.

"Re: Immigration Building RG-407." JIRHE Item 307.

Romanzo Adams Social Research Laboratory. *Race Relations in a Plantation Community*. Honolulu: N.p., 1979. [Call Number: 65 (Aut-232-(2)-83-J-F]

"S-27 Internee Treatment." JIRHE Item 416, 1.

"S-28 Treatment of Civilian Internees at Sand Island." JIRHE Item 417, 3.

Scheiber, Harry N., and Jane L. Scheiber. "Constitutional Liberty in WWII Hawai'i: Army Rule and Martial Law in Hawai'i: 1941-1946." *Western Legal History* vol. 3, no. 2 (1990): 346.

Slackman, Michael. "The Orange Race: George S. Patton, Jr.'s Japanese American Hostage Plan." *Biography: An Interdisciplinary Quarterly* vol. 7, number 1. (Winter 1984): 25.

"Soga, Keiho (trans.) My Life Behind Barbed Wire." JIRHE Item 264, 2.

"Soga, Translations of My Life behind Barbed Wire (Fukuhara)." JIRHE Item 263, 1.

Sone, Monica. *Nisei Daughter*. Boston: Little, Brown, 1953.

"'Sorry, But He Deserved It,' Says Ala Moana Case Victim." *Honolulu Advertiser*, 9 January 1932, A-1.

Souza, Blaise Camacho. "Boosting Morale is a Cheerful Task on Home Front." *Honolulu Star Bulletin*, 13 September 1999, Fifth Part.

Stirling, Yates. *Sea Duty: The Memoirs of a Fighting Admiral*. New York: G.P. Putnam's Sons, 1939.

Tataki, Ronald. *Strangers from a Different Shore*. New York: Penguin Books, 1989.

United Japanese Society of Hawaii. *A History of the Japanese in Hawaii*. Honolulu: United Japanese Society of Hawaii, 1971.

Van Slingerland, Peter. *Something Terrible Has Happened*. USA: Harper and Row, Publishers, Incorporated, 1966.

White, R.P. "Boy Committed Crime to Bring Happiness to Poor Parents, He Says." *Honolulu Star Bulletin*, 24 September 1928, 1.

"Woman Hears Child Scream As Car Passes." *Honolulu Star Bulletin*, 19 September 1928, 1.

Wright, Theon. *Rape in Paradise*. Honolulu: Mutual Publishing Co., 1990.

Younger, Irving, ed. *State of Illinois v. Leopold and Loeb*. Minnetonka, Minn.: Professional Education Group, 19.