
INTRODUCTION

“A Footstep in the Sand of Time”



LATE ONE EVENING, early in May 2002, I sat in a hotel room with a colleague, historical archaeologist Nicole Branton, after a very long day of traveling and conducting interviews. Together, we read from the war-time diary that Joe Norikane had so generously lent to us. Norikane stood defiantly against the government's attempts to force Nisei (Americans of Japanese ancestry) to accept partial, second-class citizenship during World War II when he resisted the draft, ultimately becoming part of a group of resisters who called themselves “the Tucsonians.” We read the diary he kept from 1943 through 1944, believing that its pages would reveal the idealistic mindset of a young man preparing to take on his government in a courageous act of civil disobedience. What we found instead was a book chronicling Norikane's doubt and insecurity not about the war, the draft, or his civil rights, but about a girl. We read page after page about his social life, sports, and a whole lot of dancing.¹

When we met with Norikane the next day to record an interview, he apologized for not having written about more important issues in his diary. We assured him that our impression was quite the opposite, because he wrote about the most important issue he was personally facing as a young man. He recorded the life of a young man coming of age, and he focused on what might be seen as the typical obsessions of a young man despite the fact that he was living behind barbed wire. What he wrote was far more important and eye opening than standard treatises on civil rights or the injustices of the draft ever could have been.²

Norikane, like the rest of the Nisei draft resisters of World War II, did not resist in a vacuum. His decision to challenge the government's restoration of his military obligations—after the assault on his citizenship rights that had come with the forced removal and incarceration of Japanese Americans—was shaped by the totality of his life experiences. His resistance represented a nuanced choice to defend a personal definition of his citizenship rights that stood in direct conflict with the state's understanding of his obligations. In the heat of

the draft crisis of 1944, young Nisei men would either be called patriots for obeying the draft law despite their lack of citizenship rights or be accused of disloyalty, cowardice, and even sedition after being sent to prison for civil disobedience and noncompliance. Norikane chose prison, but he did so for complex reasons. He was devoted to the country of his birth, loyal to his family obligations, and insistent that the rights and the obligations of citizenship should remain in balance.

As Norikane sat down to be interviewed about his life and his resistance, he recalled that when he was in jail with some of the other resisters from the camp they all called “Amache”—one of ten government detention centers built to hold Japanese Americans after their forced removal from the West Coast and lower third of Arizona—none of them believed that they would get fair hearings or that their struggle for civil rights would be remembered. For decades they were forgotten, but Norikane always hoped that the stand he took in defense of his constitutional rights during the war might someday be recognized. If he left “a footstep in the sand of time,” Norikane said, “somebody might look back on what was going on during the war and get curious.”³ He hoped historians and students might preserve the memory of his wartime stand for civil rights and, someday, finally understand why he went to prison during World War II for resisting the draft even though in his heart he remained a patriot and a loyal citizen. He stood against the draft not as a coward or a draft dodger but as a man who believed that the Constitution should be color-blind and should protect all Americans equally and without prejudice. Yet like others who resisted the draft, he had more reasons for his civil disobedience. As the eldest son in his family, he refused to risk death on the battlefield, which would mean leaving his aging parents without any means of support. He was disillusioned by his wartime treatment as an enemy alien when he had been taught his whole life that he was 100 percent American.

By the time Norikane died in the spring of 2003, he had left several footsteps in the sand of time. This book is an attempt to understand those footsteps and the context in which they were created, but not just in the simplistic terms of prisons and patriots that seemed to confine the government’s definitions of his wartime choices. Between the extreme polarities of the prisons built to rehabilitate criminals and the battlefields on which patriots risked their lives to prove their loyalty lay a vast terrain in which real individuals negotiated their own definitions of citizenship. The gulf that divides prisons from patriots contains the history of Norikane, his friends the Tucsonians, and Gordon Hirabayashi, a man whom they admired very much.

HISTORIC CONTEXT

When the world went to war for the second time, many Americans fought their own wars at home. Americans, after all, were fighting around the globe in defense of democracy and freedom. But what did this mean when democracy

and freedom were pushed to their limits within the United States? One group of Americans confronted this question in dramatic fashion. They called themselves the Tucsonians.

The Tucsonians' early lives epitomized the Nisei, or second-generation Japanese American, experience. They were born in America during the 1920s to parents who had immigrated to the United States from Japan. They were citizens of the United States by birth, born to parents forbidden from U.S. citizenship by racially restrictive laws. They attended public schools, studied American history, and sometimes enrolled in Japanese-language schools. They grew up in a world that combined elements of their parents' Japanese cultural traditions with American culture and history. They learned in American public schools that their citizenship guaranteed them equality and freedom as protected by the U.S. Constitution. But it was clear that race prejudice sometimes prevented them from enjoying full social equality.

This generation of Nisei found it hard to believe that political events beyond their control would jeopardize the one thing they believed was immutable: their citizenship. Before the war, many Nisei teens and young adults were, by their own admission, naively confident, even in the face of overwhelming race prejudice, that their citizenship alone had the power to make them 100 percent American. But in the context of war, their citizenship provided few protections. Wartime laws and government policies forced their removal from the West Coast and confined this dislocated population of Japanese Americans in War Relocation Authority (WRA) camps, places most regarded as a kind of prison, without due process of law. Other laws reclassified Nisei into ambiguous categories ranging from "non-alien" to "enemy alien" without any real change in their citizenship status. These wartime laws and policies forced all Japanese Americans to make painful decisions regarding how they would respond to the unprecedented suspension of their rights as a group and as individuals.

Although Japanese Americans had most of their rights taken away during World War II, they were not immune from state demands that they obey the law, peacefully cooperate with their own removal and incarceration, and two years into the war, accept the draft as a restoration of their "right" to serve in the military. In petitions, letters, and face-to-face negotiations with government representatives, Japanese Americans insisted that the rights and obligations of citizenship must remain in balance. The government could not restore military service obligations without first restoring rights to due process and to freedom of movement. Additionally, some believed they should be allowed to return to their farms and contribute to the war effort by producing food for the nation instead of being forced into military service as their only avenue of performing the duties of wartime citizenship. But the wartime state conflated rights with responsibilities and treated this racial minority group as an exception. Like a meat cleaver swiftly separating flesh from bone, the state divided Japanese American rights and obligations, promising that, as patriot soldiers,

Japanese Americans would be rewarded for military service with a restoration of their citizenship rights at some point in the future, yet threatening prison for anyone who refused to cooperate. Each individual had to face this challenge in his own way. And he did so under the watchful eyes of friends and family, neighbors and community leaders, many of whom believed that the way these young men responded to the draft would determine the postwar future of all Japanese Americans in the United States. It was a terrible burden for a young man to bear. No decision was easy.

This book focuses on the decisions made by one group—the group that began calling themselves the Tucsonians, because members had one thing in common: All ended up in the same federal prison near Tucson, Arizona, as punishment for their civil disobedience. Each decided to refuse the draft for his own reasons, and no two decisions were exactly the same. The friendships they developed in prison gave the group its name and sustained the men through repeated accusations during the war and for years afterward that they were disloyal cowards, not principled resisters. In their hearts, they knew differently. This stand was not a matter of simple loyalty or disloyalty. Fifty-five years after the war, the Japanese American Citizens League (JACL), the same organization that had ostracized them during the war and for decades that followed, recognized them as “resisters of conscience.”

The Tucsonians shared much in common with a well-known resister, Gordon Hirabayashi. Based on his own understanding of citizenship rights and the Constitution, Hirabayashi refused to obey laws that he felt were unconstitutional and racially biased. His decision to resist was based on a complex personal concept of justice that also included his views on pacifism, Christianity (including his more recent identity as a Quaker), and the natural rights of man. But his resistance did not end there. In 1944, much like Norikane and the other Tucsonians, he refused to cooperate with the Selective Service and chose prison over compliance with a system that discriminated against him on the basis of race and violated his pacifist Quaker ideals.

Initially, Hirabayashi was, perhaps, more naive than the Tucsonians. In the early summer of 1942, the first year of the war, he knew the lower courts might not give him a fair hearing on his acts of resistance, but he had faith that the Supreme Court would rule that the racially based laws he had refused to obey were unconstitutional, and he believed that his test case would help clarify the status of all Nisei. But in the context of total war and racist assumptions about Japanese ancestry and national loyalty, the Supreme Court did not rule in his favor and instead unanimously upheld the military's right to restrict the rights of citizens along racial lines in an effort to prevent an unidentified, imagined disloyal few from committing future acts of sabotage. The courts upheld the War Department's decision to profile a group racially and to detain members before a single individual within the group had committed a crime. Japanese Americans were to be treated as if they were guilty until proven innocent. Using the war to justify extralegal measures to identify, to arrest, and to

confine potential enemies, the War Department convinced Congress and President Roosevelt that its actions should not be tested according to normal civil law. Hirabayashi disagreed, and he felt that if he could not win a constitutional victory for all Japanese Americans, he would at least win a moral victory for himself through noncompliance.

The Tucsonians had the benefit of watching events unfold over the first two years of the war as they were forced to leave their homes and endure months in the filthy and overcrowded temporary detention centers the government euphemistically called "assembly centers," only to end up in concentration camps equally inappropriately designated "relocation centers" for what many assumed would be the duration of the war. By the time the Tucsonians stood before the judge for their resistance to the draft, most admitted they did not believe they would get fair hearings, and few were under any illusion that their cases would have any broad-based impact on Nisei rights. All they had on their side was their own commitment to their consciences and their insistence that a person's citizenship rights could not be divorced from his obligations at the whim of a wartime militarized state. Hirabayashi and the Tucsonians all fought what they believed were unjust laws in the same classic way. In resisting an unjust law, they had committed acts of civil disobedience and thus joined a long list of Americans who had faced the state as individuals and enjoyed the protections that the Constitution afforded them as dissenters. But alongside the relatively simple story of basic constitutional rights lay an even larger story of wartime citizenship—a story that involved a surprisingly complex web of reasons for wartime resistance, including obligations to family, religion, the natural rights of man, dual citizenship, and the belief that serving in the military was not the only way young men could perform their wartime duties as citizens. Some Tucsonians were willing to contribute to the war effort, but held out for the right to do so as independent citizen farmers rather than as soldiers in segregated units.

The Tucsonians and Hirabayashi were never incarcerated together, but they did serve time in the same federal prison camp in Tucson, and their periods of imprisonment there were separated by only a year. As the Tucsonians were being sent to Tucson for resisting the draft in 1944, Hirabayashi was sent to yet another federal penitentiary, McNeil Island in Washington State, for his own draft resistance. Their lives paralleled each others' during the remainder of the war and intersected once again fifty-five years later, when all of them were invited back to Tucson for a ceremony to rename the former site of the Tucson Federal Prison Camp as the Gordon Hirabayashi Recreation Site.

A CITIZEN'S DILEMMA

Visitors who stop at the Gordon Hirabayashi Recreation Site today can learn about the prison and about the prisoners who built the scenic highway that carries tourists from the saguaro desert valley floor up to the pine-covered and



Ribbon cutting, Gordon Hirabayashi Recreation Site naming ceremony, November 1999, Coronado National Forest, Tucson, Arizona. *Left to right:* Tucsonians Joe Norikane, Hideo Takeuchi, and Ken Yoshida; Coronado National Forest Supervisor John McGee; Gordon Hirabayashi; Congressman Jim Kolbe; Tucsonian Harry Yoshikawa; Heart Mountain resister Takashi Hoshizaki; Tucsonian Noboru Taguma; and Heart Mountain resister Yosh Kuromiya. (Courtesy of Coronado National Forest.)

sometimes snow-capped peak of Mt. Lemmon. This is a rugged and spectacular highway, yet few who drive on it stop to think about who built the road. But drivers who pull off the highway at Prison Camp Road learn that some of the prisoners sentenced to labor on the road faced what the interpretive kiosk calls “A Citizen’s Dilemma.” As they read the text on the kiosk, visitors are asked to consider the implications of this dilemma. “The resisters did not object to the draft,” tourists learn, “but hoped that by defying the draft they would clarify their citizenship status.” Some may ask, “If they were to share the rights and duties of citizens, why did the government forcibly incarcerate them and their families?” Good question. Others may think, “If their loyalty was in question, why were they being drafted?” Another good question. As visitors consider this dilemma and continue reading the kiosk, they learn about the context of Japanese American “relocation” during World War II and about some of the reasons why a prison without walls or fences was built on a mountain. They learn about Gordon Hirabayashi and the Tucsonians and about the other prisoners who helped build the highway. And they learn about the sacrifices that some Nisei made as members of segregated combat units in an effort to earn back their rights of citizenship.⁴

Few individuals ever face direct challenges to their citizenship in the way that Japanese Americans did during World War II. Most U.S.-born citizens



Gordon Hirabayashi Recreation Site Interpretive Kiosk, Coronado National Forest, Tucson, Arizona. In the background of the picture are the rock walls and stairs leading up to the site where the prison's administration building once stood. These are the most visible remains of the original prison. *(Courtesy of Coronado National Forest.)*

grow up with a vague understanding of their own citizenship, aware that being a citizen gives them certain rights and privileges and annoyed at times by the few obligations of citizenship, such as serving on juries, but usually content to think of citizenship as a static category that remains unchanged over time. Some people believe you simply either are or are not a citizen. But in reality, citizenship is not simple at all.

This book asks students and scholars of history to suspend what they think they know about citizenship. How do individuals learn about their own citizenship? How do these early lessons in citizenship shape their expectations as adults? If individuals can claim multiple citizenships, one by birth and another by ancestry, who gets to decide which citizenship they will claim, and which citizenship demands their loyalty? Which citizenship is the state obligated to recognize? Most important, when is a citizen obligated to obey the law, and when is a citizen obligated to disobey? And what role do the courts and prisons play in America's overall construction of the rights and obligations of citizenship? This case study—drawing on the deeply personal perspectives of a group of Japanese Americans at a time of extreme national tension—allows us to unravel the rights and obligations of citizenship to their core elements. In so doing, we can gain a better understanding of how citizenship is constructed, debated, and renegotiated.

PRISONS AND PATRIOTS: TELLING THE STORY

Joe Norikane's diary shaped this book's central argument that citizenship is a contested relationship between an individual and the state that evolves during the individual's life. Historians have long noted that individuals' interpretations of their own rights or demands for greater rights have sometimes led them into conflicts with state authority. At times, these conflicts have led to surprising triumphs of the least powerful groups over what appear to be overwhelming odds in favor of state authority.⁵ In this way, the central thesis of this book is not new. Clearly, definitions of citizenship change over time, often in response to agitation from below. Historians of the role of women have also shown quite clearly and adeptly that citizenship rights and obligations vary greatly depending upon a person's status within a society, particularly the unequal statuses of gender, sexuality, and class.⁶ Others have shown that racial barriers can hinder an individual's access to rights and protections of citizenship that more privileged members of society take for granted.⁷ Linda Kerber articulated these arguments quite well in her 1997 presidential address to the Organization of American Historians in San Francisco. Citizenship is today a matter of great debate, and citizens' rights and responsibilities to the state are in "great flux" throughout the world, she told the audience. She continued, "The status of citizen, which in stable times we tend to assume is permanent and fixed, has become contested, variable, fluid." The concept of citizenship has been particularly fluid as the international climate has shifted from peace to war and back—again and again—and the concept is currently being further redefined as isolated economies give way to global markets.⁸ The argument that citizenship is fluid and changes over time is certainly not new, and precisely because of this fluidity it is a matter that merits reexamination from time to time.

This book adds another element to the definition of citizenship. Citizenship is not simply a set of rights or obligations to be granted, won, or lost. Instead, citizenship is the *relationship* between citizens and the state, and is redefined over the life of the individual and in response to the state's changing political needs, a lesson still being learned in the context of America at war today. Additionally, citizenship, as a relationship between individuals and the state, changes from person to person. Depending on such categories as age, race, and gender, citizens experience the rights they can expect to enjoy and their obligations to the state quite differently. These negotiations become even more complex and personal when dual citizenship is a factor. The story told in this book helps us more clearly understand the fluidity of citizenship.

In addition to exploring the complexities and often misunderstood nature of citizenship and dual citizenship, the second major aim of this book is to use Japanese American history and the history of the resisters in particular to explore the politics and power of historical memory. The history of Japanese American draft resisters is one story that virtually disappeared, with a few notable exceptions, from the published historical record. It was only after 1988,

when Japanese Americans achieved redress for their wartime treatment, that the story of their resistance returned to the mainstream. And not until the twenty-first century did the draft-resister story become a mandatory part of the Japanese American metanarrative.⁹ The process by which the resisters made their decisions to refuse to obey the law and were then marginalized within their communities and within the historical record, followed by the transformation of their place in history to the role of "heroes" and "patriots" in the minds of a younger, post-Vietnam, post-cold war generation, is a major focus of this book.

Finally, as the title indicates, this book is a story of the duality and evolution of definitions of criminality (implied by imprisonment) and patriotism. The resisters were imprisoned for their civil disobedience during the war but were honored as patriots by some third- and fourth-generation Japanese Americans in 2002 for their courageous stand. Today, we still see these two terms—prisons and patriots—repeatedly manipulated according to the needs of the state and the claims of the people. Who is a patriot? What defines a prison? What rules define and confine the power of the state or the military to imprison people, and what rights to due process do these individuals have and under what laws? When is it patriotic to support the state with military service, and when is it patriotic to disobey the state in defense of the Constitution? By examining one case in which definitions of prisons and patriots changed radically over time, when the dual forces of prisons and patriotism were used quite effectively to quiet dissent in one historic context and then to elevate ordinary individuals to the status of heroes in another time and place, this book aims to refine our thinking about the power of terminology over the rights of individuals and over the legitimate wartime power of the state.

In researching the lives and wartime experiences of the Tucsonians, it became clear that the Nisei who resisted the draft were not alone in their protests. Hundreds of other Nisei and Issei (Japanese immigrants) also resisted the War Department's decision to restore Nisei obligations of military service as a test for future restoration of their full citizenship. In fact, the more I researched this curious episode in history, the more evidence I found that Nikkei—Japanese Americans as a whole, regardless of individual citizenship status—mounted a strong, diverse, and at times well-organized resistance first to voluntary military service in segregated combat units and later to the draft. It appears that the majority of Nikkei in at least two camps, Topaz and Amache, had at some point attempted to object to or had at least considered the possibility of refusing to cooperate with the War Department's recruitment of their young men into segregated combat teams without first demanding a full restoration of Nisei citizenship rights.

This book examines the resistance of Nisei in the narrow context of individuals refusing the draft and in the larger context of attempts to force the restoration of citizenship rights to all Nisei as a prerequisite to enforcement of the obligation of military service. The Nisei who resisted the government as

individuals and refused the draft represent the most visible group because they ended up going to prison for their resistance. But there was a much broader effort that took the form of resistance against “loyalty” registration, as well as various approaches individuals and groups took to use the wartime obligation to serve in the military as a tool to renegotiate Nisei citizenship rights. The first book to comprehensively examine the Nisei draft resisters was Eric Muller’s *Free to Die for Their Country: The Story of the Japanese American Draft Resisters in World War II*. Muller researched the resisters from the Heart Mountain, Minidoka, Tule Lake, and Poston relocation centers. He explains why federal judges ruled in radically different ways when hearing their cases: No two court rulings were exactly the same, even though all the defendants had committed the same crimes. Heart Mountain and Minidoka resisters received harsh sentences in maximum-security prisons, Poston resisters were fined a penny and sentenced to time served, and Tule Lake resisters had their charges dropped entirely, because Judge Louis Goodman said that being drafted from inside a concentration camp was “shocking to his conscience.”¹⁰ Muller’s book made invaluable contributions to our understanding of the Nisei draft resisters, but *Prisons and Patriots* asks different questions and therefore tells a different part of the story. It examines groups of resisters not covered in Muller’s book, as well as individuals who objected to the draft but who stopped short of committing acts of civil disobedience.

A complete history of Nisei resistance to the draft during World War II cannot be isolated to the story of overt acts of resistance but must also include the larger framework of others who attempted to resist without crossing over into acts of civil disobedience. It is important to address not only the question of why some resisted the draft but also the question of why more people did *not* resist the draft. And what were some of the other ways that Japanese Americans “resisted” the draft without committing criminalized acts of civil disobedience? Civil disobedience is not, after all, the only form of resistance.¹¹

Through a combination of oral histories and archival research, this book’s aim is to tell the story of a group of resisters who came to call themselves the Tucsonians, paralleled with the story of Gordon Hirabayashi, and through their combined life histories to unravel the unintended lessons of citizenship that led some to refuse to obey unjust laws. In so doing, the objective is to promote a better understanding of the important relationship between citizenship and civil disobedience and between the rights and the obligations of citizenship, particularly in times of war. The book also reveals the sometimes uncomfortably close relationship between the propaganda value of patriotism and coercive threats of criminal prosecution as dual mechanisms for squelching dissent.

UNCOVERING AND DOCUMENTING THE STORY

The research for this book began in 1999 as an oral history project. The purpose was to investigate the history of the prison where Gordon Hirabayashi

and the Tucsonians were sentenced for their civil disobedience during World War II. The Coronado National Forest had decided to rename the prison site in honor of the prison's most famous inmate and to honor the other Japanese Americans who had also been sentenced to work in this road camp. Gordon Hirabayashi's Supreme Court test case was well known to historians at the time, but few historians had more than a general awareness of the Nisei draft resisters or had even heard of the Tucsonians.

After conducting several interviews, I turned to archival records for answers to specific questions. I wanted to know why Japanese Americans had been rejected from military service during the first year of the war, and then two years into the war were drafted from inside the camps. I wanted to know why the issue of dual citizenship was prominent in wartime documents but appeared infrequently and without satisfactory explanation in the secondary literature. And I wanted to understand what pressures kept some who seemed to support the idea of resisting the draft from following through with acts of civil disobedience. To answer these and other questions, I examined related documents of the Federal Bureau of Investigation (FBI), the Office of the Secretary of War, the Bureau of Prisons, the War Relocation Authority, the Office of the Provost Marshal General, and the Justice Department at the National Archives in College Park, Maryland. I also consulted District Court records in Denver, Colorado, and Seattle, Washington, as well as the papers of WRA lawyers housed in the library at the University of Arkansas in Fayetteville. The Bancroft Library (University of California, Berkeley) collection of the documents of the Japanese American Citizens League was also helpful. Some of my questions led me to individual personal collections housed in libraries and in the homes of resisters from Seattle, Washington, to Turlock and San Mateo, California. What I found in the archives answered many questions and raised new ones, inspiring me to keep interviewing and reinterviewing the resisters who had become central to the story.

Most traditional approaches to my core interest in the nature of wartime citizenship and civil disobedience would lead one to investigate the era's four main Supreme Court decisions that involved matters of citizenship and civil disobedience: the cases of Minoru Yasui, Gordon Hirabayashi, Fred Korematsu, and Mitsuye Endo. In fact, Peter Irons has already written that book, and it provides important insights into the ways in which these four individuals, backed by teams of lawyers and civil rights advocates, pushed the Supreme Court to rule, although imperfectly, on the fragile nature of wartime citizenship.¹²

Beginning with oral histories intended to interpret a historic site led me, and eventually this book, in a slightly different direction. I wanted to know what had inspired ordinary farm boys, sons of Japanese immigrants with only high school educations, to challenge the War Department's demands for their military service when these young men knew they stood little chance of winning in court. They not only lacked the backing of the American Civil Liberties

Union (ACLU) but also faced direct opposition from the JACL and their own communities. If these young men were brave enough to risk the stigma of felony convictions to defend their beliefs that a balance existed between the rights and the obligations of citizenship, surely others must have agreed. I wanted to know who had supported the idea of resistance and why more had not chosen prison over partial citizenship. I was also fascinated by the fact that some resisters had used wartime debates over dual citizenship in their own arguments against the draft and that some had even gone on to renounce their U.S. citizenship as a final act of defiance against the government's attempts to sever their citizenship obligations from their constitutional rights. I wanted to know why the men I met in 1999 called the federal prison I had just begun to research "summer camp," despite the fact that they had been sent to this prison to build a road through extremely rugged terrain through their own manual labor. Finally, I wanted to find out why debates over whether the JACL should apologize to the resisters had become so acrimonious and why some resisters had lived their entire lives holding secret their resistance against the draft.

A FRIEND ALWAYS TOLD ME, "Show; don't tell." In this book I have embraced that approach, unfolding the story of the Nisei draft resisters first and saving the theoretical analysis for last. Chapter 1, "Lessons in Citizenship," introduces pre-war debates over Nisei dual citizenship and legal battles over the rights of Nisei to own property. The chapter also describes the diverging histories of the first and second generations of Nisei, each of whom learned different pre-war lessons regarding the meaning of their American citizenship, framing vastly different responses to wartime challenges. Chapter 2, "Nisei Wartime Citizenship," explains the process by which Nisei gradually lost their rights of citizenship during the first year of America's involvement in World War II and highlights Gordon Hirabayashi's calculated attempt to challenge the constitutionality of the forced removal and incarceration of Japanese Americans without due process of law. It also explains why the War Department and Japanese Americans ended the first year of the war debating the efficacy and logistics of restoring Nisei "rights" to military service. Chapter 3, "Loyalty and Resistance," describes organized opposition to loyalty registration and War Department recruitment of volunteers for the newly created all-Nisei combat team. Chapter 4, "Gordon Hirabayashi in the Tucson Federal Prison," analyzes Hirabayashi's experiences in prison and the radicalizing effect that prison had on his resolve to refuse cooperation with racially based laws and the Selective Service process. Chapter 5, "The Obligations of Citizenship," explains how the crisis over the draft unfolded during the first few months of 1944, and reveals the intensely personal manner in which individuals explained their decisions to resist the draft, which led them into conflict with members of the Japanese American Citizens League and the courts, eventually leaving

the resisters with felony convictions. Chapter 6, "Prison and Punishment," describes how draft resisters sentenced to the Tucson prison found that the conditions there were far better than during any other confinement they had experienced during the war, at least in part because the Tucson prison officials were more interested in rehabilitating their citizenship than punishing them for their crimes. In stark contrast, after leaving prison many resisters found that private individuals and communities were not ready to forgive them for their wartime crimes and instead punished them, sometimes subtly and sometimes more overtly. Chapter 7, "Reunions, Redress, and Reconciliation," looks at the lives the Tucsonians after President Harry Truman's pardon of all Nisei draft resisters. The chapter describes how the Tucsonians developed into a family of resisters through reunions that began almost immediately after their release, despite remaining victims of historical amnesia for decades after the war's end. The discussion reflects on the ways in which memories and official interpretive histories of Nisei citizenship and civil disobedience have changed over time, and it provides an analysis of the historiography of Japanese American resistance. The Conclusion unites the stories of Gordon Hirabayashi and the Tucsonians once again in a legal and theoretical analysis of the history of Nisei wartime citizenship, civil disobedience, and historical memory.