

WW2 accusation still haunts Nisei attorney

by Frank Abe July 19, 85

SEATTLE—Kenji Ito, a former Seattle attorney, was surprised to learn he'd been described as a one-time spy for Japan in last month's trial pitting Gordon Hirabayashi against the U.S. government (see last week's PC). "That's a lie," he said. "That shows you what kind of a case they have, doesn't it?"

Justice Dept. attorney Victor Stone leaned on the appearance of Ito's name in a decoded diplomatic cable as evidence that the Japanese had successfully recruited a Japanese American as a source of sensitive information prior to Pearl Harbor.

Stone introduced a select number of the approximately 116,000 intercepted and deciphered messages code-named "Magic" by U.S. counter-intelligence chiefs. He argued that his evidence undermined the contention of Hirabayashi's attorneys that the U.S. in 1941 had no evidence of possible Japanese American disloyalty.

Retired codebreaker David Lowman, who worked 28 years for the National Security Agency, testified that a June 1941 cable from Tokyo ordered Japanese consular officials in the U.S. to recruit Japanese Americans as sources of war information. When asked if he could conclude that any Japanese Americans were in fact recruited, Lowman replied, "Magic names a half-dozen or so names."

A former counter-intelligence officer, retired Lt. Col. Jack Her-

zig, later testified that the Japanese may have tried, but that nothing in the cables or any other intelligence reports shows they succeeded. He also dismissed five of the six names to which Lowman referred as those of Japanese consular employees, not Japanese Americans.

Ito Singled Out

That left one cable dated May 11, 1941, in which a consular official in Seattle notified Tokyo that in order to make contacts with organizations opposed to America's entry into the war, he was "making use of a second generation Japanese lawyer by the name of Ito."

In the documents submitted as a government exhibit, Ito's name was blanked out by the clerk who declassified the cable, but the government corroborated the name by reference to an Army intelligence report that repeats the names in the original, uncensored cables.

When contacted by Seattle radio station KIRO, Ito said he couldn't figure out how the Japanese in 1941 thought they were using him. Ito, who is 76, still practices law out of an office in the Little Tokyo section of Los Angeles.

Presenting Japan's Side

Ito said that in 1941 he was well known as a debater for the University of Washington who would often be invited to speak before such groups as the Seattle Rotary. On those occasions, he said, he would be asked to take a rhetorical posi-

tion in favor of the Japanese invasion and occupation of Manchuria.

"I'd engaged in debates, some with a professor—I think his name was Pollard, of the University of Washington—whom I'd debated over the radio. That's all there is to it. I was never employed by the Japanese consulate, never compensated by Japanese official sources in any way."

"Maybe some people in Japan thought that I was serving their cause when I did these things," he added, "but I was just doing it for my own satisfaction, and because I felt that both sides of the question should be presented in a matter as important as this, and certainly there was nobody to defend or to even set forth Japan's position in those days."

As for his position on the Japanese military, Ito said he "was not in favor of everything that they were doing" but that "it was necessary for Japan to expand, I felt, in order to obtain raw materials from other countries in order to survive."

Ito claims it never occurred to him that his public speaking could raise suspicions about his loyalty to the U.S., although he acknowledged being the object of "slandorous remarks" by other Japanese Americans who "probably thought I was disloyal."

"I was not apologetic. I was expressing myself as an American—of Japanese ancestry, of course—who knew something about Japan and Japanese history."

During WW2, Ito was accused of being an agent of the Japanese government. Ironically, he was tried in the same federal courthouse in Seattle in which his name was again raised in 1985. After a one-week trial he was acquitted of an espionage-related charge—failure to register as an agent of a foreign power—on April 1, 1943.

In his cross-examination of Herzig, attorney Stone contended that the mention of one Japanese American's name in a secret Japanese cable cast suspicion on all Japanese Americans at that time.

"I'm very much flattered, but it doesn't hold water," Ito said. "It doesn't justify evacuating 120,000 Japanese from the West Coast, just on account of what a single person said publicly in connection

with Japanese-American relations or Japanese-Chinese relations. They're certainly resting their case on a slender thread."

Ito also revealed that until now he'd been ambivalent on the issue of redress. But he added, "Now that I know how determined the government apparently is to try to harm the Japanese Americans, I'm all for redress so we can get to rock bottom and determine once and for all our position."

"Some have taken the position that Japanese Americans have been fully vindicated and considered loyal Americans on par with the general population, so why bring it up? But after this conversation, [I see] it's still an unsettled issue and we should get to the bottom of this."



Visual Communications executive administrator Linda Mabalot (2nd from left) and Atlantic Richfield Foundation communications director Albert Greenstein display a

\$5,000 award given VC by ARCO for development of photographic archives. Looking on are VC board president Doug Aihara and VC development director Nancy Araki.

at-large positions on their Board of Directors up for election in October of this year, and nominations are now open for these positions, it was announced by LEC Chair Minoru Yasui.

Comprised of a total of 15 members serving staggered 3-year terms, the LEC Board of Directors includes seven nominated by the National JACL Board and eight at-large members who are representative of the Japanese American community or interested individuals committed to the redress issue. The dual responsibilities of the LEC are fund raising and defining/implementing legislative strategies for passage of national redress legislation.

Nominations forms may be obtained by writing to Nominations Chair Cherry Kinoshita, 3520 S. Thistle, Seattle, WA 98118, with completed forms to be returned by August 31, 1985 when mail

skills, preferably with some redress involvement.

Currently the at-large board members include: Min Yasui, LEC Chair, Denver; David Nikaido, Washington, D.C.; Shig Wakamatsu, Chicago; Grant Ujifusa, New York; Dr. James Tsujimura, Portland; Joseph Rauh, Washington, D.C.; Arthur Morimitsu, Chicago; and Grayce Uyehara, West Chester, PA. Members representing JACL are: Frank Sato, national president, Washington, D.C.; Harry Kajihara, Oxnard; Dr. Yosh Nakashima, San Francisco; Rose Ochi, Monterey Park; Denry Yasuhara, Spokane; Dr. Kaz Mayeda, Detroit; and Kinoshita, Seattle.



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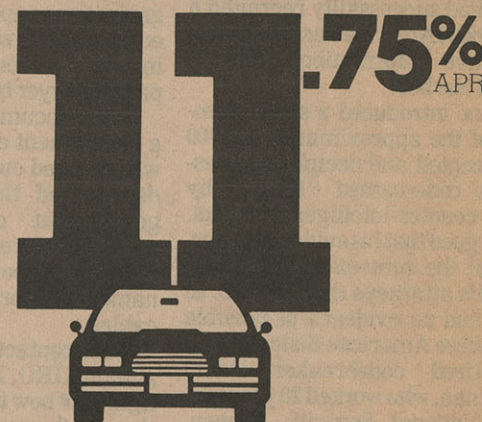


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