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## Review of "Traitor By Default: The Trials of Kanao Inouye, the Kamloops Kid" by Patrick Brode

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Patrick Brode. *Traitor By Default: The Trials of Kanao Inouye, the Kamloops Kid*. Toronto: Dundurn Press, 2024. Pp. 192.

Patrick Brode's *Traitor By Default* is the first stand-alone biography of Kanao Inouye, a Japanese-Canadian who was a translator for the Japanese army and a prison guard for the Kempetai, the Japanese secret police during the Second World War. Nicknamed the Kamloops Kid (after his birthplace), he was just as brutal as the military he served (p. 23). After the war, he was arrested and charged with war crimes and treason against the British Crown. He was executed for the latter on 26 August 1947.

If I had to describe this book with one word, it would be concise. Brode says a lot with a little. In a taut 158 pages, he provides a riveting character study, history lesson and detailed (if understandably limited) examination of the laws of war and obligations of citizenship. It also shows that there *were* Japanese Canadians who sided with their ancestral homeland and were a danger to Canada.<sup>1</sup> Moreover, it is written and sourced in a way that it would be a fine edition to any law library or home bookshelf. Everyone from the most erudite law professor to someone with only a passing history of the Pacific War can read, reflect and gain from *Traitor By Default*.

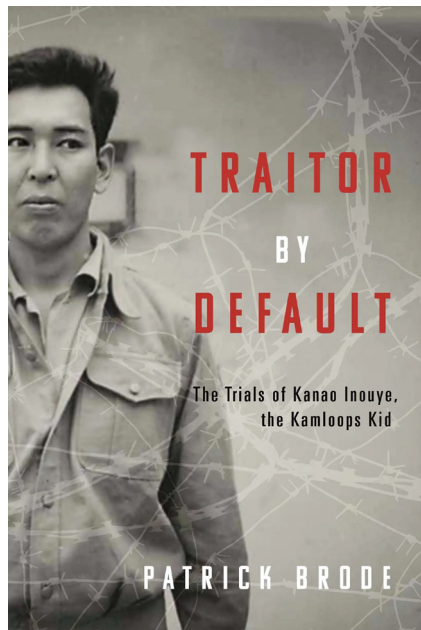
Brode begins the first chapter with his subject's father, Tadashi "Tow" Inouye, who had arrived in Kamloops, British Columbia in 1905. Ironically, the elder Inouye was a war hero. He fought for Canada in the First World War and was awarded a Military Medal for saving the life of a wounded captain during the Battle of Canal De Nord (p. 9). His eldest son Kanao—born on 24 May 1916—could not have been more different. In the next two chapters of the book, the author details how savage Inouye (and the Imperial Japanese Military) truly were. Brode writes that "a quarter of all prisoners in Japanese hands would die. Most ... would perish due to malnutrition, overwork, and random brutality" (p. 21).

<sup>1</sup> For more about Japanese-Canadian (as well as German-Canadian and Italian-Canadian) espionage read J.L. Granatstein and Gregory Johnson, "The Evacuation of the Japanese Canadians, 1942: A Realist Critique of the Received Version," in *Canada at War: Conscription, Diplomacy, Politics*, ed. J.L. Granatstein (Toronto: University of Toronto Press), 249-76. This of course did not justify the dispossession and deportation of part of British Columbia's Japanese Canadian population without due process, especially after the war ended.

These brutalised prisoners included Canadians, captured after Battle of Hong Kong in December 1941. Inouye often reserved the worst treatment for them. POW William McAllister noted Inouye would “carry a wooden sword and would always be ramming men in the ribs with it. He would viciously slap prisoners at the slightest provocation,” earning him a second nickname: “Slap Happy Joe” (p. 24). Inouye repeated this behaviour as an interrogator with the Kempeitai. If prisoners would not talk, he burned them with cigarettes or subject them to “water torture,” where the victim’s stomach was pumped with water. The torturer then jumped on the victim’s now swollen stomach forcing water into their mouth and nose, simulating drowning (p. 69).

All this was perfectly in keeping with Japanese military policy. While they had signed the Geneva Convention requiring the humane treatment of prisoners “the document was not accepted back home” (p. 39). Indeed, “from the Japanese perspective, their soldiers would never become prisoners so they did not see any reason to agree to a treaty whereby captive enemy soldiers were given any consideration” (p. 29). This led to horrifying results some of which Brode details, including a massacre of the residents of St. Stephen’s College, systematically butchering the surrendering inhabitants of a mission (p. 18) and tying POWs to posts in freezing temperatures and beating them every day until they died (p. 32).

Brode then turns to the war’s aftermath. Interestingly, the Canadian government held that “the question of war crimes is not of great importance to Canada” and it took significant persuasion to even consider prosecuting *German* war criminals (p. 31). Ultimately, the Canadian government decided to only prosecute war crimes committed against Canadian citizens (p. 39). Even then, they were reluctant to prosecute Inouye on Canadian soil due to their internment and deportation of Japanese-Canadians (p. 52). Eventually, the Canadian government sent a prosecution team of four



people: Lieutenant-Colonel Oscar Orr, Major George Puddicome and two lawyers, John Boland and John Dickey. It was “a small enough force to avoid risk and cost but enough to say something was being done” (p. 42).

This foursome accomplished a great deal with what they had. Using transcripts of the Hong Kong War Crimes Trials and prisoner interrogations, archival materials, and scholarly monographs, Brode skillfully details not only their prosecution of Inouye but other accused war criminals. When Inouye’s conviction for war crimes was overturned due to a lack of jurisdiction (he was a Canadian citizen, thus and the Hong Kong War Crimes tribunal could not try him) they prosecuted him for treason against the British Crown—and won (p. 109). Inouye was hanged. Previously unknown in mainstream Canadian history books, the contributions of Puddicome, Orr, Boland and Dickey (as well as those who worked with them) are finally honoured.

Brode discusses Inouye’s trials in a brisk, interesting—and most importantly of all—fair manner. He never downplays Inouye’s crimes or blames anti-Japanese racism for Inouye’s actions (pp. 152-53). He also notes, however that there were other Japanese on trial who committed far worse crimes than Inouye but got lighter sentences (p. 149). As horrible as Inouye’s crimes were Brode notes there was no hard evidence that he directly killed anyone (p. 150). Furthermore, he also intelligently summarises the law of treason (dating back to the fourteenth century) and how it was applied or misapplied in Inouye’s trial. While Brode has his doubts about the legal correctness of Inouye’s treason conviction (pp. 138-40) he does not foist an answer upon the reader. He summarises the law and the facts and lets readers decide.

Ultimately, Brode sees the Inouye’s execution as “almost an afterthought; the press would pay little attention to it” (p. 2). To me, this is also an apt descriptor for how Canadian military history treats the Pacific War. D-Day and Vimy Ridge are (justifiably) part of the lexicon of Canadian military history. However, little is said about the Canadian contribution to the Pacific War (and its immediate

aftermath).<sup>2</sup> Brode's informative and thought-provoking new book is part of a small but growing amount of scholarship trying to fill this gap.<sup>3</sup> This (along with everything else about his book) makes *Traitor by Default* worth reading and its author worth thanking. Thank you, Mr. Brode.

SCOTT MAIR, *INDEPENDENT RESEARCHER*

<sup>2</sup> That is not to say that there have been no works on the subject. One important work is Nathan Greenfield, *The Damned: The Canadians at the Battle of Hong Kong and the POW Experience, 1941-1945* (Toronto: HarperCollins Canada, 2010). This very journal had a special issue about the battle in 2021 (Volume 30, Issue 2).

<sup>3</sup> Brode has also written about Canadian war crimes prosecutions previously in *Casual Slaughters and Accidental Judgments: Canadian War Crimes Prosecutions, 1944-1948* (Toronto: Osgoode Society for Canadian Legal History, 1997). That book, however, focused mostly on war crimes in Europe. This book focuses almost exclusively on the Asian theatre of the Second World War.