



National Council for Japanese American Redress

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Dear Friends,

Redress is reality. A dream is realized. A hope is fulfilled. On August 10, 1988, the United States of America acknowledged "the fundamental injustice of the evacuation, relocation, and internment of United States citizens and permanent resident aliens of Japanese ancestry during World War II," apologized, and promised restitution. Our nation America diminished our fathers and mothers by forbidding the immigration of all persons of Japanese ancestry and degraded us when it decided that the mere allegation of military necessity was sufficient to suspend the Constitution for Americans of Japanese ancestry. By this admission of guilt, act of apology, and restitution, our America has grown.

This new reality also culminates a rite of passage for Japanese America. We are no longer the "Model Minority" or "Quiet American" images that imply acquiescence to racism and injustice. In asserting our rights as free persons against the abuse of power by our government, we inherit the tradition of the framers of our U.S. Constitution. In seeing what is right and doing it, we affirm the best in our Confucian tradition.

Of course, as individuals, we remain unchanged. In a recent visit with my 99-year-old mother, she observed through my silences that I was always the silent one, intimating that I was thinking instead of speaking. (My silences were due to my partial understanding of her Japanese and my near-null ability to speak Japanese.) Nevertheless, we make our heritage for Japanese America through our movement for redress. This realization of redress is also a realization of part of our heritage. Our heritage defines who we are and who we have been.

Various groups will celebrate this victory as theirs. Certainly legislators and lobbyists will, as will the Japanese American Citizens League, the National Coalition for Redress/Reparations, the Washington Area Coalition for Redress, and others. Theirs has been a good fight. We, in NCJAR, applaud them. But we should not overlook NCJAR's contribution. In 1979, at our request, Representative Mike Lowry introduced the first redress bill as a counter to the proposal for a study commission. When the Commission on Wartime Relocation and Internment of Civilians was established, we mounted a class action lawsuit to seek redress through the courts. Our ascent to the Supreme

Continued

An Issue for All Americans

Continued DEAR FRIENDS

Court last year seemed to impell Congress to act on legislation that had made little progress in four years. Nor should we ignore the fact that this legislative enactment is, in part, an out-of-court settlement of our class action lawsuit. Persons who accept payment under this act remove themselves from our lawsuit. Still, center stage belongs to others.

As we have said since September 1987, when the House first passed its version of redress, we urge all eligible individuals to accept payment under this act. The lawsuit remains a high risk venture. A few of us are committed to continue with it. If faced with a decision, we will refuse payment. Of course, if the lawsuit dies with the Supreme Court's refusal of our petition for certiorari, then we all accept payment. But if the Court hears us, the lawsuit continues.

Briefly, the redress payments under the act will be administered by the Department of Justice (DOJ) and consists of four components: eligibility, identification, appropriations, and notification for payment. All victims living on the date of enactment (8-10-88) are eligible, except persons who expatriated or repatriated to Japan before hostilities ceased in September 1945 and illegal aliens, primarily Peruvian-Japanese. Eligibility is vested. If an eligible person dies before receiving payment, payment will be made to that person's surviving spouse, children, or parents.

The DOJ has one year to identify all eligible persons, provided it has the resources. Failing resources, the DOJ may appropriate funds via Congress and has one year following such appropriations to complete this identification. Victims are not required to apply for payment.

Appropriations for payments to victims will begin with the 1990 budget. In any year, appropriations cannot exceed 500 million dollars. Once appropriations are made, a group of victims, based on oldest first, will be notified for accepting or refusing payment. If neither accepting nor refusing within 18 months after notification, an individual thereby accepts payment. Accepting payment under this act extinguishes all other claims against the government for its wartime actions. Similarly, accepting payments via our lawsuit extinguishes claims under the act.

The question of opting in or out of the lawsuit or act remains in the future. Legislative redress will take time. The lawsuit continues. On August 5, we filed our petition for certiorari, our request to be heard, in the Supreme Court. The Court will probably make known its acceptance or rejection before the end of this year. If we are heard, the Court's decision could occur before the 1989 summer recess, well before anyone has received payment under the act.

As I have learned on an embarassingly large number of occasions, making predictions is error-prone. Still, since we are required to make decisions, we try to penetrate the future. I continue to believe that the Supreme Court wants to address the question of its wartime *Korematsu* decision and the fraudulent concealment perpetrated by the government in presenting its case. I continue to believe that victims who are excluded by legislated redress, such as those renunciants who left the U.S. before hostilities ended and the Peruvian-Japanese, who were kidnaped in Peru by our FBI and brought to the U.S. as trade bait for Americans in Japan, deserve their day in court.

Continued

Continued DEAR FRIENDS

Moreover, I think the continued presence of our lawsuit serves to remind members of Congress of the need to appropriate the money required for restitution.

Given the sizeable response we've received to our recent fund appeal, I'd say that many of you concur with NCJAR's decision to continue with the lawsuit. Some of you have wondered aloud where we get the stuff to keep on keeping on. It comes from all of us who contribute to our movement. Perhaps our smartest decision was made when we decided that we the victims and friends would underwrite the cost of our movement. Maybe we could have received more money via grants and foundations. But what we've received from each of you has been the heart and spirit that keeps us going.

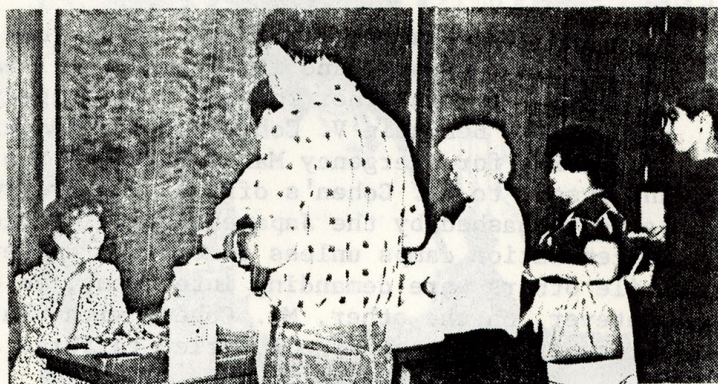
I've received a taste of this heart and spirit in the book parties I've attended in New York, Los Angeles, and Seattle. Imagine having a poster executed by historian-writer Michi Weglyn, as was done in New York; having displayed Hannah Holme's dolls, banners, and photographs, as was done in Los Angeles; and having Richard and Anna Maria Drinnon and Chizu Omori as companions, wearing a *Repairing America* T-shirt, and visiting with the founders of NCJAR, as we did in Seattle. I sensed a gathering of greatness in these cities. True, the folks were ordinary enough. But they were the ones who make our movement move, and that makes them extraordinary.

While it is impossible to thank everyone by name, I do express special thanks to Takako Kusunoki, who persevered to become our 64th *ronin* and helped with our New York book party, along with Sasha Hohri, Michi and Walter Weglyn, Janet Aisawa, and Phil Nash. I also thank Hannah Holmes, Sue Embrey, Wilbur Sato, Sylvia Hohri, Brooks and Sumi Iwakiri, Mitsuye Yamada, Toshiko Yoshida, and Dick Obayashi for the great book party and fund raising dance in L.A. I also thank Chizu Omori, Richard and Anna Maria Drinnon, Gail and Steve Sumida, and Fred Bohm, but Chizu especially, for their help with the Seattle book signings. And last but not least, I thank Kiyoharu Aburano and Sally and Goji Tashiro for transporting me to and from the airport.

Now, on to the Supreme Court!

Peace,

William Hohri



Sale of *REPAIRING AMERICA* at Los Angeles book party

■ The excerpted testimony (below) was presented on April 28, 1986 at the House subcommittee hearing on H.R. 442. Representing the Leadership Conference on Civil Rights, Joseph Rauh is the father of Michael Rauh of LANDIS, COHEN, RAUH AND ZELENKO.

The cruelest inroad on civil freedom

Those were unhappy days in our land. I was a young New Deal lawyer working in the Office for Emergency Management and the Lend Lease Administration, when, the Pearl Harbor attack came. It is hard now, 45 years later, to reconstruct the panic that set in immediately after that attack. But I do not think it overstates the situation to suggest that December 1941 was the only time in the last 150 years when the American people actually believed their shores were not immune from enemy attack. Frightened people do frightful things.

I suppose it does not do much good to try to explain historical decisions many years after the event, but I did try this in an essay on civil liberties for the National Jewish Community Relations Advisory Council in 1969.

"Undoubtedly the cruelest inroad on civil freedom during World War II," I wrote, "was the exclusion of the entire population of Japanese ancestry from the Pacific Coast and the detention of most of them in relocation camps. This incredible tragedy resulted, I believe, more from the rigidity of honorable men within the administration who failed to recognize the need for some post-Pearl Harbor action to offset Pacific Coast fright of near hysterical proportions (as, for example, the temporary nighttime curfew suggested by some) than from the weakness or venality of the administration in the face of tremendous military and political pressures."

That was the best I could do then to explain how this tragedy could have happened, and it is the best I can do now. But I should recount, I suppose, my own minor role in this tragedy. Immediately after Pearl Harbor, Mr. Benjamin V. Cohen summoned Oscar Cox, the general counsel of the Office for Emergency Management and the Lend Lease Administration, and myself to Mr. Cohen's office. He foresaw at once that the forces of panic unleashed by the Japanese attack would almost certainly result in concentration camps unless some measures were taken to stem the panic. While others were demanding internment, on the other hand, or no action whatever, on the other, Mr. Cohen, with whatever assistance he could derive from Cox and myself, tried to forge a consensus around ways and

Continued

Continued **The cruelest inroad on civil freedom**

means of avoiding internment, such as curfews, limiting access to military installations and the like. Sadly, every proposal he made was met with opposition from both camps, and the resulting cruel internment is what brings us here today.

We did not take our defeat lightly even then. I recall entering Mr. Cohen's office one evening in early 1942 to be greeted with a newspaper article containing a picture of a little Japanese boy on a train headed for an internment camp leaning out the window waving an American flag. Mr. Cohen had tears in his eyes, and I guess I wasn't too far behind.

There are few today who would say that the internment was necessary, or who would deny its tragic consequences. Disclosure after disclosure has shown there was not the slightest military justification for internment, and that the Japanese within our borders were not only loyal but patriotic. The Italian campaign of the 442nd Regimental Combat Team ranks in valor with our finest hours from Valley Forge to the 1944 landings in France and the Philippines.

Nothing can ever adequately compensate the Japanese Americans for the wrongs done them, not even the present legislation, not even the proposed \$20,000 payment, not even a larger figure. The dislocation of their lives, the branding as dangerous to their country, the cruel insult of captivity—all this is beyond monetary recompense. But what this bill can do is make it possible for this nation once again to hold its head high in remorse and thus in decency. We can demonstrate that a great nation can recognize and give recompense for the severest blow it ever inflicted upon the civil liberties of its people and thus give new vitality to its commitment to civil freedom. Future generations of Americans will recall this action, not only as good for the national soul but as a stabilizing force if similar panic once again should confront our nation.

I also believe that the billion dollars this payment will cost is as sound an investment in favorable world opinion and thus in genuine national security as can be made. For the price of a single Navy cruiser we can demonstrate that democracy works and that to the extent possible it can and will rectify its most grievous mistakes. We will be making a commitment to the world through deeds as well as words that no such injustice will ever cloud our nation again. □

JOSEPH RAUH

■ NOTE:

On August 10, 1988, President Reagan signed into law the long-awaited legislation H.R.442, the Civil Liberties Act of 1987.

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Thank you for
fighting the good
fight for all of us.
Best wishes.

LUTHER OGAWA
San Jose CA

Keep climbing up
and up!

HANNAH HOLMES
Los Angeles CA

Good Luck.

SUZANNE NOMURA
Walnut Creek CA

Onward march toward
"Chushingura."

Banzai—banzai—
banzai!

MASASHI AND
CHIYEKO YUKAWA
San Francisco CA

Thank you all very
much for all your
efforts.

MIDORI INOUE
Montebello CA

Keep up the terrific
fight!

MAS UYESUGI
Orange CA

Climb as high as
you can—for justice!

GORDON HIRABAYASHI
Edmonton, Alberta

Continued

■ If you do not wish
to have your name listed,
please indicate when you remit.



IN MEMORIUM

This contribution is dedicated to Winifred McGill with whom I had amazing synchronicity. Winifred was an old soul who shared my interest in taking a stand in political, spiritual and cultural events within this life.

I was constantly crossing paths with her everywhere—The Museum of Science and Industry, the Chicago Tribune Strike rally, she came to see my brother's play at the Mina Sama No Theatre, she came to hear lectures in my profession. She was everywhere.

She once asked me why she received such a cold reception from the Issei and Nisei about her interest in the Redress movement. I told her I received the same negative reaction even though I was Japanese. It was because I was a Sansei. I could never understand the pain or experience, since I was not there in the camps.

She was troubled with the fact that she was viewed with suspicion of her motives. I told her it didn't matter what other people thought—if you did something from the heart and it felt right—you must follow your own instincts.

Winifred always followed her heart—and she did it with such passion!

Thank you Winifred for sharing your life with us. You made this world a better place.

KAREN C. UCHIMA
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Good luck!

TAK AND ELLEN SUZUKI
Los Angeles CA

Thank you for your
continuing efforts
for human rights
and justice for
all people.

REV. MARTHA COURSEY
Chicago IL

Keep up the good
work!

PHIL TAJITSU NASH
New York NY

Go for it....
We are pleased to
travel this little
bit of the way with
you and with your
great cause which
is so important
to us all as a
people and as
a nation....

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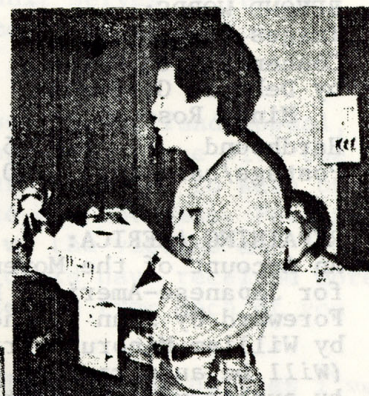
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