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Thursday, September 28, 1978

## The Case for Redress—Part 5

(The following is a continuation of the text of "Japanese American Incarceration: A Case for Redress," a booklet issued by the National Committee for Redress of the JACL.)

\* \* \*

In January 1943, the U.S. War Department announced that Japanese American volunteers would be accepted for combat duty in Europe. Most of the volunteers came from Hawaii, but there were also thousands who volunteered from within the mass detention camps on the mainland. The volunteers were assigned to a segregated Japanese American unit—the 442nd Regimental Combat Team. The 442nd eventually became the most decorated American unit to fight in World War II for its size and length of service.

In January 1944, the Selective Service System started to draft Japanese American men, even though they were still incarcerated in the camps. Some 33,000 Japanese Americans served in the U.S. armed forces during World War II, 6,000 of them in the Pacific Theater. Some Japanese American soldiers in the combat zones were much more concerned about the treatment of their families still incarcerated behind barbed wire fences in the United States than they were about the enemy firepower they faced.

### THE SUPREME COURT

While the majority of Japanese Americans complied with the military orders as a means of demonstrating their loyalty to the United States, there were many equally patriotic individuals who decided to challenge the discriminatory orders on constitutional grounds.

As a means of testing the orders in the courts, over 100 Japanese Americans deliberately violated one or more of the orders and invited arrest. But the government was apprehensive about a judicial review and declined to prosecute most of these violators.

Instead, the government carefully selected for prosecution three individuals who did not appear to have the backing of any Japanese American organization. Minoru Yasui was charged with violating the curfew, Gordon Hirabayashi with violating the curfew and refusing to report for detention, and Fred Korematsu for failing to report for detention. All three men were convicted in the federal courts for variously disobeying military orders and sentenced to prison terms under Public Law 77-503. The legal issues were slightly different in each case; the three appealed to the U.S. Court of Appeals and their cases were ultimately heard by the Supreme Court.

On the other hand, Mitsuye Endo cooperated with the military orders, but when she found herself detained against her will without charges, she sought a writ of habeas corpus in July 1942. Habeas corpus cases are supposed to be judged promptly, but the federal district court took a full year before announcing the decision denying Endo's plea for release. Endo appealed, but again, the Court of Appeals took another year before forwarding her case to the Supreme Court.

All four Japanese American appellants argued that the military orders were unconstitutional when

(Continued on page 2)

## Rev. Akamatsu Was JAUC's First Minister

Some 200 persons were on hand this past Sunday when the Japanese American United Church marked its 25th anniversary as the city's single Japanese American church, the product of the merging in 1953 of The Japanese Christian Association, the Japanese Christian Institute and the Japanese Methodist Church.

Among those present to celebrate the occasion was a familiar figure who has been confined to a wheelchair since he suffered a stroke three years ago—Dr. Alfred Akamatsu, appointed the first minister of the united church, who retained the post until his retirement in 1972.

Chatting with a recent visitor to his Manhattan apartment, he recalled the occasional frictions and jockeyings that preceded the eventual unification of the three Christian churches; the joy of seeing as many as 400 persons at Easter and Christmas services, which followed the merger; and his satisfaction with the opening-up of the church facilities to other community groups and activities after its move to the building on Seventh Avenue which it now occupies.

Disparaged by some in years past as too "radical" in his perception of the church's role in fostering what has since become a popular concept, that of ethnic identity, Dr. Akamatsu now finds his doctoral thesis on the topic a much-read document.

He is also credited with having early on seen the importance of psychiatric training to help him better serve the emotional as well as spiritual needs of many among his constituents. After taking courses in counseling and psychiatry at the William Alanson White Institute, he found his services in much demand in the years that followed.

When it is suggested that he probably suffered the slings and arrows that usually pelt those later fondly regarded as having been ahead

Today he can remember with amusement how he was often called "Aka," a decidedly unfriendly shortening of his name to mean "red," by those who feared change of any kind.

He wrote, for the commemorative booklet, "I am happy and satisfied and grateful that the Rev. Justin Haruyama and the faithful laymen who took the responsibility for the Church after my retirement in 1972 have brought the Church to this memorable time of our 25th Anniversary."

Talking about his decision to attend the anniversary service, he admitted that as he is "an emotional person," the visit might prove too much for him.

In that regard, it might be pointed out to him that there were persons there who were observed to be even more choked up than he by his brief participation in the occasion.

## Hideo Kitayama Resigns JAA Post; Search is On Now for New Secretary

Hideo Kitayama, who has served for more than 28 years as secretary of the Japanese American Association of New York, has submitted a letter of resignation to the newly-elected president of the organization, George Shimamoto.

Mr. Kitayama formerly lived in Seattle, Wash., where he edited a Japanese-language newspaper. After coming to New York, he was for a time the assistant editor of The Hokubei Shimpō. Although his resignation was effective Sept. 5th, he has agreed to remain on the job until his replacement has been named.

The Japanese American Association is accepting applications for the position from persons who are bilingual and who have an interest in community affairs. Anyone who wishes to be interviewed for the post may call Dr. Robert K. Emy, a vice president of the organization, at 755-1570.

The Association recently moved to its new headquarters on the sixth floor at 7 W. 44th St.

## Niko Niko Outing to Mohansic State Park

The Niko Niko Club will hold its annual fall outing on Sunday, Oct. 8, at Mohansic State Park in upstate New York.

Participants will assemble in front of the Yodo Restaurant, 13 E. 47th St. prior to the 11 a.m. departure time. Transportation will be by private cars, and those who require a ride are asked to call any of the following three persons by Oct. 6 to ensure a lift: Min Hara, 220-1628; Dick Kawamoto, 364-0577; and Mr. Mitsuya of the Yodo, 751-8775.

The cost per person of \$6.00 will include a boxed lunch and transportation. Soft drinks will be served during the picnic.

## Films by Avant-Garde's Shuji Terayama Slated

Two American premieres are included among the films written or directed by Shuji Terayama being shown at Japan House on Friday evenings through Oct. 13 and Wednesday evening, Oct. 4, in conjunction with the writer-director's visit to the United States to participate in the New York Film Festival's special event, "New Currents in Japanese Cinema."

Described as Japan's leading avant-garde Renaissance man, Mr. Terayama refers to himself as a revolutionary, scorning the "establishment" and above all going his own way cinematically. When he was 19, he was winning prizes for his short verses, and a few years later he began a collaboration with Japanese "new wave" filmmaker Masahiro Shinoda. A few years after establishing an underground theatrical troupe, Tenjo Sajiki, and writing more successful screenplays, he turned to directing.

"The Scandalous Adventures of Buraikan," directed by Masahiro

## Urge Extend Aid Refugee Children

WASHINGTON, D.C.—The Pacific/Asian Coalition (PAC) last week announced its support of legislation to extend special educational assistance for Indochinese refugee children, and urged passage of a Senate measure which would continue such aid for another five years.

The Indochinese Refugee Children Assistance Act of 1976 (Public Law 94-405), which provides federal grants to state educational agencies to assist local schools in providing educational services to the Indochinese children, will expire on September 30 unless Congress votes to extend its authorization. Senator S.I. Hayakawa's amendment to S-153, which authorizes the Elementary and Secondary Education Act, would extend such assistance until September 30, 1983.

Said Dr. Mary Watanabe, PAC National President,

"President Carter recently authorized the admittance of an additional 25,000 refugees by May 1979. The Pacific/Asian Coalition strongly believes that the Federal government should respond to meet the needs of Indochinese refugees as well as other Pacific/Asian Americans."

PAC urged that telegrams or telephone calls supporting S-153 be directed to Rep. Carl D. Perkins (D, Ky), who chairs the Conference Committee studying the measure, or Sen. Claiborne Pell (D-R.I.). House conferees from this area include C. Zeferetti (N.Y.), Joseph A. LeFante (N.J.), and Theodore S. Weiss (N.Y.).

## What's in a number?

TOKYO—With the recent compilation of 110,867 different family names, Japan may well be said to have the largest number of surnames in the world.

## Union Activists Refute WJS's Redress Stand

The Union of Activists (formerly Asian Americans for Action) has sent the following letter to The Wall Street Journal in refutation of its editorial of Aug. 11 entitled "Guilt Mongering" which opposed the concept of redress for Japanese Americans who were detained in so-called "relocation camps" during World War II.

\* \* \*

Dear Sir:  
Your recent editorial "Guilt Mongering" of August 11, 1978, in characterizing as "unflattering—a society in which collective guilt for past sins has become a commodity to be traded, mongered and exploited" reflects the racism which is again on the rise as our country moves toward conservatism and reaction.

The Japanese American Citizens League, in seeking redress on behalf of the more than 110,000 persons of Japanese ancestry illegally incarcerated during World War II, is exercising a constitutional right guaranteed by the Bill of Rights. The editorial's reasoning that since the Japanese Americans have become "an exemplary group of citizens" and hence should forget the past, is the height of absurdity, not to mention the fact that it reveals a cynical white-washing if not dismissal of the innumerable acts of injustice perpetrated upon the minorities during our country's history.

To the extent that Executive Order 9066 was unquestionably racist, the claim by the Japanese Americans for financial compensation is quite in keeping with all the other chickens that are coming home to roost—whether it is "The Longest Walk" organized by the Native Americans to preserve whatever treaties exist; whether it is the struggle to overturn the Bakke decision; or whether it is the opposition against post sterilization abuse committed on Third World women.

If we claim to be a democracy, then we must not merely acknowledge a wrong but must right it.

UNION OF ACTIVISTS

## Expect Book on MIS Be Ready by Next Reunion

"Yankee Samurai," the book-in-progress by Joe Harrington which was commissioned by the Military Intelligence Service (MIS) Association of Northern California, will be available for sale at the Nisei Veterans Reunion in Hawaii next June, if the author adheres to his current timetable.

The book, which will be a history of the training and exploits of those Japanese American servicemen who saw duty in the Pacific during World War II, is scheduled to be submitted to Harlo Press of Detroit by the middle of January, according to Shig Kihara, history project chairman for the MIS Association. The author is said to be writing the final chapters now.



## Redress—

(Continued from page 1)

applied to citizen civilians, and the government conceded that the appellants were loyal citizens who had not committed any crimes other than to challenge the military orders.

Regretfully, judges, and even justices of the Supreme Court, were not immune from the prejudices of the times, and the judicial system failed in its constitutional responsibility to protect citizens against abuses by the executive and legislative branches.

In *Hirabayashi and Yasui v. U.S.* (320 U.S. 81, 115), the Supreme Court ruled that a curfew may be imposed against one group of American citizens based solely on ancestry. In *Korematsu v. U.S.* (323 U.S. 215), the Supreme Court further decided that one group of citizens may be singled out and expelled from their homes and imprisoned for several years without trial, again based solely on ancestry. The Court refused to question military judgment, or the validity of military orders applied to civilians without a declaration of martial law.

The Supreme Court justified these decisions by reiterating the false stereotypes about Japanese Americans which had permeated white American thinking. The justices argued, without any foundation in fact, that Japanese Americans were inherently more dangerous to

national security than other people merely because of their ancestry. The court ignored the constitutional guarantees of due process and equal protection of law, and violated the basic principle of American justice that guilt and punishment must be individual; i.e., the inalienable rights to life, liberty and property cannot be deprived except upon conviction of an individual's own wrongdoing—not the wrongdoing of others, nor of a group. **Justice Robert Jackson stated in dissent: "The Court for all time has validated the principle of racial discrimination in criminal procedure."**

In the case of *Ex Parte Endo* (323 US 283), the Court granted Endo an unconditional release from confinement. In a very important sense, however, she lost her point. The court specifically stated that the original expulsion from the West Coast and the detention for three years without charges or trial were legitimate exercises of presidential and military power during an emergency. The Court merely ruled that Endo and others admittedly loyal American citizens could not be imprisoned indefinitely.

Refusing to consider the salient constitutional issues begging for resolution, the Court decided the *Endo* case on narrow technical grounds—that Executive Order 9066 did not authorize the indefinite detention of citizens who the government conceded were loyal, nor did it authorize the imposition of parole conditions on citizens once removed from the West Coast.

The *Endo* decision was announced on December 18, 1944. The Western Defense Command (then under General Henry C. Pratt) had rescinded the exclusion and detention orders a day earlier on December 17th. Japanese Americans were free to return to their homes on the West Coast effective January 1945.

### RETURNING HOME

The return of Japanese Americans to their homes in California, Oregon and Washington was marked by vigilante violence and the agitation of pressure groups to keep out the Japanese Americans permanently. Homes, farms and businesses left behind were occupied by whites unwilling to return property to rightful owners. Homes were burned and dynamited, and Japanese Americans were targets of terrorist shootings. More acts of violence and terrorism were committed against Japanese Americans at the end of the

war than at the beginning.

Despite the well-publicized accomplishments of the 442nd Regimental Combat Team, the names of Japanese American soldiers were removed from community honor rolls, and the remains of Japanese American soldiers killed in action overseas were refused burial in some hometown cemeteries. Many restaurants, hotels, barbershops, gasoline stations, grocery stores, and other public accommodations refused to serve Japanese Americans. United States Army Captain Daniel K. Inouye (now a U.S. Senator), in full uniform with all his medals on, walked into a San Francisco barber shop, but was told: "We don't serve Japs here."

When news of the hostility reached those still remaining in the camps, they became reluctant about returning home. The Pacific war ended in August 1945, but the last mass detention camp did not close until October 1945 and the last special internment camp did not close until 1952.

Reconstructing their lives was not easy, and for some it was too late. Elderly pioneers had lost everything they worked for all their lives, and were too old to start anew. Having been expelled from their homes and jobs at the height of their productive years, they were unable to save much for retirement. About 20% of the surviving pioneers were below poverty level by the 1970 Census. Many American-born had their education disrupted and could no longer afford to go to college because family support became their responsibility.

Property losses alone were conservatively estimated by the Federal Reserve Bank in San Francisco to be in excess of 400 million dollars based on 1941 figures. Congress appropriated partial restitution for property losses, but only 8-1/2% of property losses were ever compensated. Nothing was done to compensate for the tremendous increase in land values during the war years, lost income, unnecessary deaths, mental sufferings and loss of freedom.

Not only were direct losses sustained, but long lasting psychological damages resulted. Families disintegrated under the prison-like conditions, and individuals became disoriented and embittered. People lost their sense of self-esteem and

could not regain enough self-confidence to compete as well as they could have in American society. Adults could never forget the experience, and children faced the life-long stigma of their birth certificates or school records indicating they spent

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their childhood in captivity. Most importantly, Japanese Americans suffered the indignity of being falsely imprisoned by their own government.

(To be continued)

## Redress Group Meets To Discuss Strategy

SAN FRANCISCO—Members of the National JACL Committee on Redress, meeting here Sept. 9-10 to discuss proposals accepted at the national convention in Salt Lake City in July as well as strategy, decided informally against coupling the drive for evacuation redress with a call for a reversal of the Supreme Court decisions in key cases related to the exclusion and detention of Japanese Americans.

Said John Tateishi, chairman of the committee, "... it was felt a two-prong approach may deter action by both the Congress and the courts. He said, however, that the group's decision does not preclude the possibility of future judicial review of the Yasui, Hirabayashi and Korematsu cases.

Members of the committee will confer with members of Congress before their next scheduled meeting in January.

Committee members who attended the meeting were Henry Miyatake, Raymond Okamura, Phil Shigekuni, Minoru Yasui, Ellen Endo, and Ron Mamiya.

## Music From Japan at Carnegie Recital Hall

"Music From Japan," a concert series under the artistic direction of Naoyuki Miura, opens its fourth New York season with a program featuring the American premieres of six works by contemporary composers, on Oct. 2 at Carnegie Recital Hall, 57th St. and Seventh Ave.

Among the new compositions are Kenjiro Urata's "Melos II," Joji Yuasa's "Domain" for solo flute, and Izumi Yamada's "Intermezzo" for string quartet and piano.

"Music From Japan," which seeks to synthesize Western and Japanese musical forms, has been scheduled for a second performance in the Village on Nov. 12 and a third in the Lincoln Center Library on Jan. 2, 1979.

Tickets for the initial recital are

available at the Carnegie Recital Hall box office for \$5 each.

The second, at St. Luke's Church, 487 Hudson St., on Nov. 12 will feature traditional Japanese instruments such as the koto and the shakuhachi. Tickets are \$5 for the performance only or \$10 for the concert and a boxed Japanese dinner to be served before the concert.

The third concert will highlight works that were premiered in past seasons, and there will be no admission. A series subscription is available for \$13. Further information may be obtained and reservations made by calling 582-1222.

## Last Call to Sign For Awareness Conference

The New York chapter of the Japanese American Citizens League has issued its last call to those who wish to attend its Japanese American Awareness Workshop to be held Sept. 30 and Oct. 1 at the Stony Point Conference Center in Rockland County.

Meals, lodgings and workshop expenses are included in the fee of \$35 per person (\$25 for students and retired persons).

Information about remaining openings may be obtained by calling Ruby Schaar, chapter chairman, at 724-5205.

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## THE GALLERIES

Nippon Museum, 116 E. 38 St. — Woodcut prints by handicapped children. "World Beyond the Rainbow." Sept. 30 to Dec. 18. Admission \$1.50. senior citizens and children under 12, \$1.00.

Bank of Tokyo Trust Co., 5 World Trade Center — "Japanese Artists in New York." Includes paintings, sculpture, graphics by Shozo Nagano, Jun Fujihara, Mizue Sawano, Toshiko Uchima, Nanse Momiyama, Ryo Tokita, Takeshi Kawashima, Ken Wakashima, Tadashi Asoma, Shunji Sakuyama, Masaaki Sato, Ansei Uchima, Kenji Nakahashi, Suiyue Okoshi, Masami Kodama, Seiji Saito, Osamu Shimoda, Ushio Shinohara, Hiroshi Kariya, Kunio Iizuka. Through Sept. 29.

Ronin Gallery, 605 Madison Ave. (57 & 58 Sts) — Landscapes of Hiroshige (1797-1858). Through Oct. 7.

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