



National Council for Japanese American Redress

925 West Diversey Parkway, Chicago, Illinois 60614

November 30, 1981

Dear Friends,

The exhaustion is exquisite. The airplane is taking me home. And I recall Frank Chin in Chicago as he describes his vision of the "Circus of Freaks" and his anger at WWII JACL leadership; Bendetsen and McCloy in Washington, DC; my writing the first installment of the account of the hearings for the New York Nichibei; back to Chicago to participate in a report on the hearings and organizing a protest of the Commission's decision not to publish the 700 testimonies received; then to Los Angeles to NCJAR supporters and to visit with family and friends; finally, to San Francisco and a meeting organized by NCJAR-Bay Area. The redress movement blossoms and the roots stretch a little further. It takes it toll. But the juices flow. Life excites and challenges.

"Who's Afraid of the Big Frank Chin?" was hastily organized, sparsely attended, but nevertheless a success. The panelists were primed by their reading of Frank's 101-page essay on the role of the Japanese American Citizens League in the WWII exclusion-internment experience. The JACL had been invited to participate on the panel but declined. There was a nice spread of cookies, cake, and coffee which was largely ignored; the Big Bad Chin was too engaging. He explained his attraction to the movement when, as an Asian American writer, he read about the decision by the JACL to seek \$25,000 per victim, for a total of 3 billion bucks. Wow! It was the very stuff of the writer's craft. Japanese America was beginning to move. But all too quickly reality began to set in. Present leaders of the JACL were not informed of their own history. The JACL's National Committee for Redress was not prepared for either a fund-raising or public relations campaign. Then it soon appeared it was not even ready to follow through on the resolve of the main body's decision to seek \$25,000 per victim; instead it switched to the concept of a fact-finding commission which should make the determination whether any wrong was committed and to recommend appropriate remedies.

Mike Yasutake did an excellent job of leading the discussion. First, he did a one-on-one interview of Frank to develop the background of his involvement. Then he turned to the panelists, Prof. Shirley Castelnuovo, Prof. Dan Kuzuhara, and William Hohri. Then questions were received from the audience. Frank expanded upon his notorious "Circus of Freaks" characterization of the IA hearings. He pointed to the image of booing by the audience, which was orchestrated, and its effect on the media, emerging to supersede the issues of injustice and the demands for redress. Even the relatively well-mannered audience in Seattle would be characterized by the occasional, often individual, vocal reaction. (It is noteworthy to read the NY Times story (11-4-81) on McCloy's testimony: "... many in the audience responded with a long burst of sarcastic laughter at other points, Mr. McCloy's comments were punctuated with hisses." Certainly, from my vantage point in the press section, the report is a gross exaggeration. The sounds were barely noticeable and came from one, possibly two, persons in the audience.)

Perhaps the most significant part the meeting was the emergence of Jack Tono, a member of the Heart Mountain Draft Resistance. Jack told of the efforts by the JACL to dissuade members of the group to drop out and of their efforts to testify against them at the trial. What was particularly painful to hear was the successful effort of the JACL to deny the prisoners their lawful right to parole. Jack was warmly received by many at the meeting.

The Washington hearings were a real experience. The logic of the internment came through loud and clear. The real movers and shapers, Col. Karl R. Bendetsen, chief architect, and The Assistant Secretary of War, John J. McCloy, in their momentary re-incarnation, remained unrepentant as a stone wall. Bendetsen simply reversed truth values, exchanging true for false, as though devising a new system of logic. We were not interned. We were free to relocate to the interior from the camps. We were held for our own protection. The guards were there to protect us from a hostile public. No soldier ever entered a camp. McCloy stood categorically opposed to compensation and even to an apology. Moreover, he clearly indicated we should do it again, this time to Cuban-Americans, if Cuba were to conduct a raid on Florida.

(The story of the hearings is covered in the NY Nichibei series which appears elsewhere in this newsletter.)

Back in Chicago, an ad hoc committee of concerned Nikkei got themselves together in the backwash of the Chicago CWRIC hearings. The issue they began to address was the decision of the Commission not to print the 700 testimonies in its Final Report. I did a rough calculation of the cost, based on 500 copies of 5 testimonies NCJAR had printed and the size of congressional committee reports. I figured it would cost about two cents per testimony-copy. For one copy of all 700, it would cost \$14.00. For 1,000 copies of all 700, it would cost \$14,000.

"You wouldn't give two cents for what I said?"

Write: Ms. Joan Z. Bernstein
Commission on Wartime Relocation and Internment of Civilians
726 Jackson Place, N.W.
Washington, DC 20506

Then off to IA where I contacted all the six ronin (supporters who have given \$1,000). Unfortunately, I did not get to meet them all. But I did meet Richard Kitsuse, Ellen and Tak Suzuki, Dr. Michael Morisaki, and Tak and Doris Hohri, my relations with whom I stayed. I also had a fine time with Hannah and Dwight Holmes and their friends. Both are deaf. Hannah produced some fine brief cases which we have begun to sell for \$7. All of the proceeds go to NCJAR. If we sell enough -- buy enough -- we'll make Hannah a ronin. I had breakfast with Don Date and managed to disrupt his plans for Veterans Day. Met some old friends I hadn't seen in decades. Spent time, of course, with Frank Chin and Mitsuye Yamada who were doing the IA meeting with me.

The meeting was mixed. Mitsuye's poems began a lively and entertaining evening. They brought back camp. I got my speech read and answered some questions. But soon the questions began to be dominated by folks from the National Coalition on Redress/Reparations, one of whose recurrent themes is the desirability to receive "input from the community." They weren't allowing much "input" that night, nor on the following night in San Francisco. Frank was

his inimitable self, but perhaps went on too long. It is difficult to keep it short and to say it all. We committed two unforgiveable sins of organizing: we didn't get names and addresses and we didn't pass the hat. But still it was a good first step.

The San Francisco meeting was well-organized by Bay Area NCJAR. We did get names and addresses. We did pass the hat. Unfortunately, the Bay area had one of its worst wind and rain storms in recent memory and this had an effect on attendance. The rain really began to pour while I was enjoying dinner with some members of the NCJAR board, including Lloyd and Marion Wake, Roy Sano, Paul and Mary Anna Takagi, and George Nichols. Hiroshi Kashiwagi began the meeting with a reading of his poems. Then Russell Baba played a beautiful piece on his shaukuhachi (bamboo flute). Finally, Janice Mirikitani read some of her poems. It was terrific and a little intimidating. I gave my speech and answered questions.

* * * *

I began this newsletter on the trip back. I had to put it aside to write the last two installments of the NY Nichibei series on the Washington hearings. I also read C. Harvey Gardiner's book, Pawns in a Triangle of Hate, which is about the ordeal of the Peruvian Japanese. The mountains of paper keep growing. (But I did have to clean off our coffee table for Thanksgiving.) We have many new friends since our last newsletter. We're growing.

Now all we have to do is to reach our goal of \$75,000. We've reached \$53,000. We need \$22,000. Get your friends to join in. And you haven't yet made your contribution -- DO IT!

Peace,

William Hohri

William Hohri

Once More, in Washington— Bendetsen Sidesteps Accountability on Camps

BY WILLIAM HOHRI

We were warned by members of the staff of the Commission on Wartime Relocation and Internment of Civilians that the Senate Caucus Room would be crowded so that we'd better try to arrive early. So, on Monday, Nov. 2nd, 1981, I arrived about an hour in advance with the Chicago-East Lansing contingent of NCJAR (National Council for Japanese American Redress), now-and-anti-JACLers, to get a good seat for the triumphal return of the travelling show to its Washington home. Some arrived by plane the night before. Three of us had driven from Chicago all day Sunday. We were the first of the non-participants to arrive. CWRIC staff and TV technicians preceded us. As it turned out, the warning was false. These hearings would be the most sparsely attended, with only 50 to 60 in the audience section of 20 chairs. The small audience was telling us something. The witness list was impressive enough. Bendetsen, Ennis and Hewes for the first day. Eisenhower was ill and could not make it. McCloy, Dedrick, Glick, Michener (James and Mari) and Masaoka for the second day. Except for the Micheners, they would be the movers and shapers of the exclusion-detention program.

Karl R. Bendetsen was first pointed out to me as he was engaged in conversation with Mike Masaoka and John J. McCloy. He appeared to be a friendly waiter or maybe a properly solicitous butler, a cross between Edward Everett Horton and Douglas MacArthur. He had a ready smile with crinkled eyes and was in good physical shape. He was the chief architect of the internment program. Rather than being asked to summarize his 18-page statement, he was asked to read it. It would have taken about 45 minutes, but rather than read, he extemporized and went on for 67 minutes. He had to be interrupted by Chairperson Joan Bernstein so the commissioners would have time to ask questions. His whole testimony and questioning took four hours.

Colonel Karl R. Bendetsen used a lot of body language. As he began to develop his thesis by discussing reports of atrocities, committed by Japanese troops in the Philippines, he was flipping his silver pen. John J. McCloy, later, would exhibit the same manner.



According to him, the reports created a climate of public hostility and required that Japanese-Americans, though he seemed to prefer just "Japanese," be moved to assembly centers and then into the protective custody of relocation centers. The troops who guarded the centers, he explained, were guarding the inmates from the now-hostile public. Later, when he was asked about the policy of protecting the inmates' property by the Federal Reserve Bank, he was playing with his glasses, until one of the lenses fell out, and then he was busily trying to place it back into the frame. He was hard to comprehend because he constantly moved away from the mikes, and would push them away as though not wanting to be heard. A staff member would then have to come forward and move the mikes up to him. His words, partly due to his age, were often slurred. But to make matters worse, he would, on occasion, speak with his hand to his mouth.

Bendetsen not only used the Philippines atrocities, but also the history of anti-Japanese racism on the West coast, which he decried, as the basis of the exclusion-detention. (He was no racist, you know.) He also ducked behind the argument of only following orders. When confronted by Arthur Goldberg about his *Who's Who* entry in which he describes himself as the chief architect of the program, he explained that he was only involved in the method, not the policy. When asked why he dropped this description in following editions of *Who's Who*, he smiled his best crinkly-eyed smile and said it was probably his secretary who changed it.

He aggressively rejected the term "internment" when used by Senator Brooke. He stated categorically that there were never any troops inside a camp—ever. (In my camp, Manzanar, the troops stood in front of the police barricades and fired tear gas and bullets, wounding 10 and killing two young men; then they patrolled the streets in their jeeps for several days.) When asked about racism, he stoutly defended all his associates as untainted. He was completely unrepentant for what was done in the context of the time and in the larger perspective of four decades.

Like G. Gordon Liddy, he was a good soldier, faithful and loyal to the very end. Surprisingly, former Assistant Secretary of War John J. McCloy remained for the duration of Bendetsen's four hours on the stand. McCloy was scheduled for the next day. He's the only white witness, to my knowledge, who spent so much time observing the hearing. Given his power and influence, his extended presence was all the more remarkable. Perhaps Karl R. and John J. were a team. Perhaps John J. is a thorough, careful man.

Not an "Inquisition"

Commission Chairperson Joan Bernstein set the tone by announcing that the hearings were not an inquisition. The commissioners were there to gather information. The witnesses were not subpoenaed; they were invited. They were not testifying under oath; they were simply reporting their recollections. Nice, if you tell the truth. Nicer still, if you don't.

Bendetsen's written statement included:

"I did not recommend such action." (Referring to the exclusion-detention.)

"We harvested all crops, we sold them, we deposited the money to their respective accounts."

"Under my direction, the relocation centers were built and furnished with residential equipment, bedding, beds, dressers, tables, chairs..."

"They [Japanese-Americans] were not to be restricted so long as they did not seek to remain or seek to return to the war 'frontier' of the West coast."

"Persons of Japanese ancestry along the western sea frontier were not interned."

He concluded his written statement, a statement with his initials written on each of its pages, by describing Franklin Delano Roosevelt as "a man of compassion and integrity," and "Attorney General Francis Biddle was also a man of compassion..." and of the Honorable Henry Stimson, "His place in history bespeaks his humane qualities," and the Honorable John J. McCloy, "a man of towering stature, tolerance, compassion and discretion..."

(Well, Saints alive! It musta bin some awful spell which caused us to imagine the barbed wire, armed guards, searchlights, tarpaper barracks, the runs, dust, nickel-an-hour labor, shame, guilt, bordeom, stopped solid-loose fight, no-no/yes-yes, 25 bucks and a one-way ticket to freedom at last.)

The commissioners followed Ms. Bernstein's cue and asked few hard questions. Judge Marutani was probably the toughest of the lot. He forced Bendetsen to correct a few of his obvious flaws. But his sweeping revision of history remained largely unscathed.

We found our way to the Senate cafeteria in the basement with a little more ease than we did at the July hearing. The cashier was holding up the line, much like the Chicago Transit Authority which complains, after raising its fare to a buck, that it's costing too much to collect and count paper dollars.

Edward Ennis began the afternoon session at 2:30 by announcing the position of the American Civil Liberties Union then and now. According to him, the Union, as he called it, firmly opposed the evacuation as unconstitutional then and now. While supporting monetary damages for the violation of constitutional rights, it does not feel it appropriate to suggest what form such compensation should take, such as whether the amount should be fixed or vary according to length of detention or whether the award should apply to the deceased. He did help to clarify the improvement in the Government's response to violations of constitutional rights.

"Since the 1940's," he said, "there has been a tremendous change in attitude of U.S. Congressional, executive, judicial — as to the responsibility of government, whether it be municipal, state or federal, for monetary damages for the violation of constitutional rights. We didn't think of them 40 years ago. Today it is commonplace."

As with other witnesses, he seemed to have gaps in his official knowledge. He seemed uninformed about the loyalty oath. When pressed on the point of enemy aliens in Latin America, he talked about the Germans, but seemed to know little about the Japanese.

Then he talked about the release of Italians from enemy alien status:

"[Attorney General] Biddle went to the President and said, 'Ennis said — he's in charge of this — he suggests releasing the Italians.' The President remarked, 'My God! That's a great idea! I wish I'd thought of it. Do it.' So we went to New York and had a big show with LaGuardia and a big party at Carnegie Hall and issued an order for the release on October 12th, Columbus Day, releasing all Italians from enemy alien status... right before the elections."

Father Drinan pushed Ennis on a legislative remedy: "On the question of compensation, do you feel that some existing statute could be the model for a statute we could propose to the Congress so that individual plaintiffs or class action suits could be brought and the Japanese that were interned could get at least nominal damages just like the damages that were awarded by the Federal Court in the District of Columbia when 2,000 demonstrators were illegally confined. Would you give us your thoughts on the matter?"

great legal genius of the ACLU to help frame a statute. They have been involved in cases like that. In fact, they were the prime movers in this case of the 2,000 demonstrators... the Commission would welcome specific recommendations. I would frankly think that that would be more likely to pass than a lump sum for all the people. Would you feel there would be any constitutional problem?"

Ennis: "No. If Congress wants to provide a way so persons can go to court, whether it's justiciable controversy. We can't make the courts do administrative chores. It has to be a justiciable controversy."

The first day seemed very long. The 14-hour drive from Chicago was beginning to take its toll. The last witness of the day was Laurence Hewes, formerly of the Farm Security Administration. He looked like a tall farmer now quite along in years. He described the opposition of the FSA to the evacuation. He confirmed the support and cooperation received from the military. The FSA's task was to locate operators to run the farms that were being abandoned by Japanese American farmers as they were shipped off to assembly centers. Most farms, he reported, were under lease. He thought that Japanese Americans were superior farmers, that many of the new operators would learn the hard way that the quality and abundance of produce was not in the land but in the farmer's skill. The task began in early 1942 and ended in August 1942, when he was glad to be able to wash his hands of the entire matter. Despite his sympathies, he was not able to provide much information in response to questions of how many farmers returned and such.

Thus ended the first day. My friends went out for a drink. I headed for my room to take a nap.

McCloy Declares That No Apology is Due Internees

BY WILLIAM HOHRI

The star of the second day of the show put on by the Commission on Wartime Relocation and Internment of Civilians was Daddy Warbucks—ageless, powerful, wealthy, but shorter and overweight—High Commissioner John J. McCloy. But the show was no “Annie.” It was Greek tragedy with the chorus of mainly witnesses having been heard in 700 testimonies in Los Angeles, San Francisco, Seattle, Alaska and Chicago. And now men who would be Gods emerged to re-formulate the history of World War II to fit their heroic self-images and to warn us that they, the movers and shapers, will do what they will to us, the common folk, be we Japs or Cubans.

It was Arthur Goldberg—excuse me! Justice Goldberg—who took the time to explore the many honors bestowed on John J. McCloy, “Jack” to intimates, and selected and conferred on him the title of High Commissioner. But it was too long, too pretentious, so, except for Goldberg, the commissioners called him Mr. McCloy.

Nevertheless, John J., unlike Rodney Dangerfield, doesn’t get no respect; he commands a lot. He was chairman of the Chase Manhattan Bank, the Ford Foundation, the Council on Foreign Relations; served on the Warren Commission; served as U.S. High Commissioner to the Nuremberg trials; and, of course, was The Assistant Secretary of War during World War II. He continues to be regarded in some quarters as one of the ten most powerful men in America today. It was he who joined with David Rockefeller and Henry Kissinger to get the Shah of Iran into the New York hospital, an event which precipitated the Iranian hostage crisis. He’s still a mover and shaper.

There was little in his behavior to give us a clue to his 87 years. His movements were sure. His mind, quick. His memory, reliable. His words, articulate. He appeared with a former associate in the War Department, whom he just happened to see the night before, as he explained it, and who might be able to offer some additional recollections germane to the Commission’s inquiry. A happy coincidence, it seems. Until the associate let drop the word “client” in referring to John J. He was, it appears, McCloy’s attorney. McCloy had earlier complained to the commissioners that the hearings were adversarial. So, he came prepared.



There was a gritty irony to the presence of the High Commissioner to the Nuremberg war crimes trials pleading the case for a benign and humane administration of America’s concentration camps. He protested even the term “incarceration” when used by Judge Marutani. He disputed the existence of racism. He argued that not even an apology was due. Compensation was completely out of the question; many suffered during the war. The camps were a random happenstance. One had to wonder whether the High Commissioner might not have learned some things from the protestations of the war criminals at Nuremberg.

When Judge Marutani raised the question about the possibility of racism, the High Commissioner replied,

“I didn’t see the slightest suggestion. Mr. Stimson was a man of great integrity, you know, who—he’s the man who saved the town of Kyoto from bombing. He was as compassionate, as thorough a statesman I know. He couldn’t possibly decide this thing on racial grounds.”

The jury wasn’t buying. He persisted: Judge

“What other Americans, Mr. McCloy, shared in the war by having their mothers, fathers, grandfathers, younger brothers and sisters incarcerated during the war?”

McCloy: “Lots of Americans. I saw what was done, the solicitude extended. I don’t think the Japanese population was unduly subjected, considering all the exigencies to which—the amount it did share in the way of retribution for the attack that was made on Pearl Harbor.”

(“Whazzat?” Dead silence. The word hung in the air.)

Marutani, to the stenotypist: “Will you read that back?”

The stenotypist must have been an aspiring playwright. He was tape-recording as well as stenotyping. Rather than read back his typed words, he played back the audio tape. It took a little jockeying to find the spot until we heard it again:

“I don’t think the Japanese population was unduly subjected considering all the exigencies to which—the amount it did share in the way of retribution for the attack that was made on Pearl Harbor.”

Quickly, McCloy interjects, “I think ‘retribution’ is wrong.”

Marutani: “Do I understand your statement that because of what the Japanese did at Pearl Harbor, what happened to the Japanese Americans here was fair or it was not retribution?”

McCloy: “I don’t think I like to use the word ‘retribution’ in connection with it. I say ‘consequences.’”

Perhaps that could be characterized as a Freudian slip and not entirely convincing. So, as if to make himself perfectly clear, McCloy, in an exchange with Special Counsel Angus MacBeth of the CWRIC, said:

“Within 90 miles of our shores [there are] a hundred, roughly a hundred thousand people, thoroughly trained, thoroughly equipped, well trained in modern warfare, that are being set up to serve as proxies for the Soviet Union in the various strategic parts of the world. Suppose there was a raid some 10, 20, 30 years hence on [Florida], wouldn’t you be apt to think about moving them [Cuban Americans] if there was a raid there? You can’t tell.”

Having demonstrated that raw power, not racism, was at the heart of his decision to exclude and intern Japanese Americans, he then reassures us that he didn’t think that much of Jap loyalty, including the 442nd’s, in this exchange with MacBeth:

MacBeth: “Wouldn’t it be fair to say, looking at the 442nd and general history of the war, it was the overwhelming history of loyalty to this country on behalf of Japanese aliens and citizens?”

McCloy: “I think some of them—if [the Battle of] Midway had been lost—ah, there might have been some who were pledging allegiance to the other side.”

Later, Mike Masaoka would object to this thinly veiled attack on the loyalty of the 442nd and would be interrupted by Senator Brooke, who seemed to remember that MacBeth’s question, while specifying the 442nd, also extended to “Japanese aliens and citizens.”

WRA Solicitor a Sympathetic Witness

BY WILLIAM HOHRI

But McCloy, in his language, never seemed to make the distinction between "Japanese," which he used consistently, and "Japanese Americans," which he rarely if ever used. Who could tell if he intended a distinction between the members of the 442nd and other Japanese Americans?

McCloy's testimony lasted four hours, from 9 a.m. to 1 p.m. on Tuesday, Nov. 3rd, 1981. Mercifully, he asked for a break, and we got one. When we broke for lunch it was still a little early for non-employees of the Senate to use the cafeteria, but no one stopped us. My luncheon partner found Philip M. Glick in the line and invited him to join us at our table.

Mr. Glick was Solicitor for the War Relocation Authority. He is a friendly man, with few pretensions, and a clear, orderly manner of thought and speech. He talks in grammatically sound sentences, a quality one wishes others had when transcribing audio tapes to written form. As we shared our recollections, he spoke of the desire of the WRA to close the camps and of the resistance to this by the internees. He seemed genuinely surprised when I told him of the difficulty of starting a new life on just \$25, especially if one had a family to shelter and feed. Hadn't he known about the pittance? He also reported that the WRA was truly dismayed by the loyalty oath—a term he cautioned me about, though I don't remember why. He did not know where it came from. So, I related my reading of the Earl Warren oral history project's two-volume segment entitled "Japanese-American Relocation Revisited," wherein Dillon Meyer was interviewed and said that while he was opposed to segregation, he was outvoted by the project directors of the ten camps. This seems to suggest that the segregation program came from within the WRA. How could they implement segregation and not know the source of the loyalty oath? (Later, I was informed that it came from the Army.)

THE NEW YORK NICHIBEI

Thursday, November 26, 1981

The Washington hearings, like theater, had gone through the two climactic testimonies of Karl R. Bendetsen, chief architect, and John J. McCloy, primary decision-maker of the World War II internment program of West coast Japanese Americans. The dynamic duo stood against the tide of 700 victims who had earlier testified to the injustices suffered, the deprivation inflicted, the shame and heartbreak endured. They proclaimed benign and humane treatment, solicitude, the absence of racism. They stood firmly against the demand for compensatory redress; they opposed even an apology. It was unfortunate that the audience had dwindled. The 50 or so victims who were in attendance were disabused of any hope for a Confucian sense of moral obligation in the Establishment. The War Department, in its momentary reincarnation, possessed no heavenly mandate. But the two did possess the power of being the most expert and credible of living witnesses to the role of government. What followed on Tuesday afternoon, Nov. 3rd, 1981, was appropriately anticlimax, with lesser figures describing their roles and coming to their defense.

The final session was to begin with Calbert L. Dedrick, but he could not be found. So Philip M. Glick, Solicitor for the War Relocation Authority (WRA), began. Mr. Glick seemed like a very straightforward man. He described the goals of WRA as: (1) bringing occupations to the centers; (2) persuading the military to reextend the draft to Japanese Americans, (3) persuading the military to "reopen the excluded areas and allow evacuees to return to their homes," and (4) closing the relocation centers.



That sounds benign enough. But then his testimony, always rational and well mannered, seemed to leave large gaps. When he described the leave clearance program, for example, he suggested that all that was required was a place to move to and a job. He completely omitted any reference to the Japanese American Joint Board, consisting of WRA, the Provost Marshal General's office, and Army and Navy Intelligence. The Board ran security checks on all citizens requesting leave. He also omitted reference to the lengthy leave clearance questionnaire which involved over 80 questions, many requiring disclosure of strictly personal, political, religious and ethical preferences. He seemed to have contradicted Bendetsen's earlier arguments that the victims were placed into camps for their own protection when he said, "...the danger of violence... is never an adequate justification for restraining any individual of his freedom." But then he argued for detention: "...the President had the power to say to the evacuees: 'You must stay in the relocation centers until we have a chance to find out something about each of you. We want to see if we can distinguish those who the people have been referring to as probable dangerous... unidentified minority. And so, we feel we have the power to detain you, pending sorting.'"

He expanded and confirmed his earlier assertion to me about his not knowing where the loyalty oath came from: "I have never been able to find out who in the Federal government prepared the questionnaire containing questions 27 and 28... I don't know. I asked Mr. [Dillon] Myer. I've asked Rex Lee, who was in charge of our relocation office...none of them knows...my recollection was that the Justice Department had distributed it and that I was angry at the Justice Department for not having cleared this with us in advance or, at least, having discussed this with us in advance. But I've been told since that the Justice Department denies that they prepared the questionnaire."

He did reveal that the WRA was quite sympathetic to the Constitutional test case of Mitsuye Endo and that he, himself, tried to send a signal to the victims, which, while perhaps received, stimulated no response: "Well, as a lawyer for the WRA, I could scarcely go to the evacuees and say, 'Why in thunder don't you file suit against us?'"

But I did keep repeating...over and over again...WRA cannot release evacuees except under the relocation procedures until an appropriate court of the United States rules on the Constitutionality of detention under the leave regulations.'"

(This sympathetic position stands in stark contrast to that of the victims' advocate organization, the Japanese American Citizens League, which took the position, "The National JACL headquarters is unalterably opposed to test cases to determine the Constitutionality of military regulations at this time...")



Calbert Dedrick was next. He had been waiting since the day before. He was present during the Bendtsen and McCloy testimonies and could be seen nodding in agreement with their positions. His testimony confirmed these early signs. He was a statistician for the Census Bureau and was temporarily placed in the Wartime Civil Control Agency (WCCA) to aid in the implementation of E. O. 9066. He arrived on the West coast on February 27th, 1942, and proceeded to create what he described as a war room, with maps showing where the Japanese—never "Japanese Americans"—lived. His basic resource was a duplicate set of punch cards containing Census data for around 130,000 persons of the Japanese race.

(The data processing took several years. Sorting 100 million cards would take machine years. By the end of 1941, they'd managed a sort by race, but not yet by nationality. To the Census Bureau, we were the Japanese race.)

He consistently mentioned that these duplicate cards were never turned over to the War Department. But he was not asked if he, as a continuing employee of the Census Bureau, had open access to the cards during his WCCA assignment. According to him, only tabulations from the cards were released. These were compiled down to an enumeration district. So, by his own admission, the Bureau did release information down to an enumeration district—whatever that meant.

Judge Marutani, again, did the toughest questioning. He had Dedrick confirm that the smallest enumeration district was a city block. So the military knew where we lived to within a city block.

The Judge obviously had some questions on his mind. He had done some homework. He read from the law governing the Census Bureau: "In no case shall information furnished under authority of this chapter be used to the detriment of person or persons to whom such information relates."

Dedrick was prepared. He replied that that clause referred to information supplied to attorneys, for example. Attorneys could not use the information to the detriment of persons.

Marutani: "...Perhaps if I were a Cuban American and the Census came around—and, particularly if I lived in South Florida—I may leave that space blank or put something else other than Cuban."

Dedrick: "Then, sir, you would be in violation of Federal law."

Marutani: (Obscured by audience reaction)" [Well, to say it] means jail for certain."

The reference to Cubans recalled McCloy's earlier statement about doing the same thing to Cuban Americans, in the case of a Cuba-inspired emergency, as was done to Japanese Americans.

Given the content of these hearings—the testimonies of movers and shapers—it was not entirely clear why Mari and James Michener's testimonies were included on the day's agenda. Theirs were more in the nature of personal experience and observations. Perhaps they were to act as prologue to Mike Masaoka. But the prologue, or rather the antithesis to Masaoka's thesis, had already been submitted in the form of a document which was distributed to the Commissioners, to press, and audience at the beginning of the day. The document consisted of a copy of the 18-page letter written by Masaoka for the JACL to Milton Eisenhower, Director of WRA, on April 6th, 1942; an 11-page statement submitted by Frank Chin to the CWRIC in Seattle on Sept. 9th, 1981; and a cover letter from the National Council for Japanese American Redress (NCJAR) dated Nov. 3rd, 1981.

Mike Masaoka began his testimony by waving the document in the air and saying: "Some of you may have received a document as you came inside the door. I would like to have the privilege of commenting on this—not only for the record but for the information of the Commission. This purports to be a message from the NCJAR. And it says that it is public knowledge that the Commission was conceived by me. This is not true."



(In the October 1981 issue of "Borderline," a newsletter of the San Diego chapter of the JACL, Kaz Oshiki wrote a statement, "A Response to Bill Hohri," which states: "Bill is correct, however, in stating that Mike Masaoka and I originated the Commission approach to the redress issue.")

Masaoka gave credit for the concept to one of the five Japanese American members of Congress. (This member is Senator Inouye. The Senator did provide the concept of a Commission to the National Committee for Redress of the JACL. But at that time, the Commission was conceived as a means of determining the method of payment. It was not conceived as a fact-finding body. The fact-finding concept came from Masaoka and Oshiki.) Then Masaoka added insult to injury by stating the rationale, presumably of the Senator: "If this Commission decides on individual compensation—it was felt that if it was endorsed by a distinguished group of American citizens, such as those of you [who] sit on this Commission—it would have a better chance to be accepted by Congress than just some legislation put in by a junior Congressman from Washington."

(Senators may be called "junior," but applying the term to a representative makes it a demeaning diminutive, especially when calling the Lowry Redress Bill "just some legislation.")

Masaoka then embeds the sharp instrument, but it does not quite do the job: "...the point is this: if the public knowledge which this Council purports to have is as unreliable and inaccurate (sic) as what they say about the conception of this Commission, I would suggest that the Commission take another look at it."

As Mike himself said, "I could go on and on..." which is what he did. And as he did, his credibility seemed to ebb. It was getting on to 6 o'clock. Mercifully, the stenotypist had to announce that he was on his last audio tape. The hearings ended, like inferior Greek tragedy, by the intervention of a mechanical device: *deus ex machina*.

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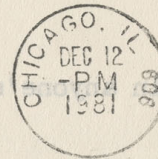
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