



National Council for Japanese American Redress

925 West Diversey Parkway
Chicago, Illinois 60614
August, 1983

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Some remain anonymous.

Dear Friends,

We are passing through a moment of truth, a rather extended moment stretching into months, in which our lawsuit lives or dies and with it our movement of the past four years. It's a difficult time of waiting and watching.

It's been made more trying with the sudden resignations of two important and valued members of the NCJAR Chicago board, Merry Omori, chairperson, and Marion Fujii, treasurer. They served us well for the past year or so. The resignations occurred because of disagreements over organizational issues in part and disagreements with me in part. The organizational issues centered around our efforts to achieve tax-deductible status.

The problems with me are difficult to fully explain because I do not fully understand them and probably through some psychological Principles of Indeterminancy could never fully understand. (Roughly, the Principle states that observation is limited because the observer affects the thing observed.) One contention is my failure to disclose information. So, I disclose our disagreements. (The problem with disclosure is that it shifts into defense and then indeterminancy.)

The movement for Japanese-American redress has had many disagreements and divisions. Indeed, NCJAR began because some people took issue with the JACL's decision to request a study commission instead of moving directly towards redress legislation. In this case, both courses of action may have been right. I've never had much use for the Commission on Wartime Relocation and Internment of Civilians (CWRIC). But it did perform one vital function: it wrote a report of the history of the events. That report, despite many flaws, moves a quantum step ahead of the last official report, General DeWitt's and John J. McCloy's Final Report. (The Final Report, few of us realize, with all its rationalizations of military necessity, has been one of the official governmental references used in response to inquiries from citizens. Also, of course, it formed one of the factual arguments in the Supreme Court test cases.) CWRIC's report serves us well in our class action lawsuit. And we, the dissident NCJAR, are bringing the lawsuit.

NCJAR itself was unable to sustain a solid relationship with its roots in Seattle. Our name and our emblem were coined in Seattle. But after the initial efforts with the first Lowry Redress Bill of 1979, Chicago and Seattle drifted apart. Difficult as that was, it wasn't all bad. Seattle is unique in having

a truly community-based redress organization, a true coalition of organizations and individuals. I don't think any other city has accomplished this. That achievement has had its moments, too. But now they are working in support of the second Lowry Redress Bill of 1983. That bill is gathering a head of steam, having signed on, at last count, 41 co-sponsors.

In Chicago, in contrast to Seattle, we have three redress groups: NCJAR, JACL, and the Japanese American Redress Committee (JARC). JARC is the result of a split in an ad hoc group which coalesced in the aftermath of the Chicago CWRIC hearings and an associated conference at Northeastern Illinois University. Part of the split joined NCJAR, including Merry and John Omori; Doris and Eddie Sato, Eddie is our newsletter editor, Sam and Haru Ozaki, in whose home we meet, Yae and Bob Imon—Yae is our recording secretary, Tom Okawara, who heads our research and education committee, and Mary K. Omori, who helps with promotion and "p.r." The others formed JARC. JARC has continued to conduct educational events, such as programs on the anniversaries of EO 9066 and Hiroshima-Nagasaki.

There is a certain amount of haji (embarrassment) over these fractures. Many well-intentioned hakujiin (white folks) wonder aloud why we cannot work together. And yet, is it not reasonable for groups of people to work in their own areas of interests and compatibilities? Christendom, which manages to affirm a singular diety, is profoundly fractured into Roman Catholics, Eastern rite, Protestants; and the Protestants further divided into denominations; and the denominations, into congregations which are not at all interchangeable. I think, perhaps, we should worry less about our differences and concentrate more on our goals. The Commission on Wartime Relocation and Internment of Civilians has completed its work with a positive result. The lawsuit has been filed. Legislative proposals are emerging. These are each significant events. In total, they form an effective movement for redress.

As for myself, I must admit—by way of disclosure—that I have difficulty with criticism against me. I am too intimately aware of a thousand failings that remain as piles of papers on my desk and elsewhere. I even built a bookcase to reduce the floorspace occupied. I am also subject to the same weaknesses most of us are subject to. Accordingly, I resist efforts at glorification. You don't glorify failings. In the Christian faith there is the notion of grace. One lives not by perfection but by grace. The Sunday morning ritual, in a major aspect, is the confession of one's failings and the acceptance of their forgiveness, or grace. It's another disclosure. It's all very anti-corporation, anti-business. I work full-time as a computer programmer and understand the necessity of perfection and results in the business world. But business is not the paradigm or pattern for a movement. This may be where our disagreement ultimately rest.

This movement has taken a great deal of heart and truth-telling. It has been buoyed by love, encouragement, forgiveness, hope, and courage. It has linkage and dialogue with people like Hannah Tomiko Holmes, Frank Chin, Ralph Lazo, Sumi Iwakiri, Mitsu Yamada, Joyce Okinaka, Harry Ueno, Chizuko Omori—the list continues and crosses the nation. It is a movement, not a corporation. (I have Jim Reed to thank for the identification.) This, of course, is not to belittle the people in Chicago who meet faithfully the first Monday of the month, conduct business, put out the newsletter, and also serve as part of the dialogue. It is, rather to maintain perspective and to understand the movement's breadth and scope.

The date for oral arguments before Judge Louis Oberdorfer regarding the government's motion to dismiss the lawsuit has been rescheduled for September 30, 1983.* On August 8, 1983, the complaint was amended by adding a twenty-second cause of action: Breach of Fiduciary Duty. Simply stated, this means that the government took full responsibility for our lives and livelihoods and failed to fulfill that responsibility as spelled out in its own rules and regulations by the War Relocation Authority and by denying us our constitutional and legal rights. For example, the WRA regulations specify:

"Laundry facilities and shower baths with an adequate supply of hot and cold water should be continuously available."

I remember how you had to shower early if you wanted a hot shower.

"Foods rationed to the whole American people will usually be available to evacuees (sic) in the same ratio as to the general public."

And Harry Ueno, who had the mess hall workers weigh and record the sugar received, who vigorously pressed the issue of gross shortages of sugar with the administration of the camp at Manzanar, was deemed a "troublemaker" and arrested and shipped to a special high security prison camp at Moab, Utah without a hearing or trial.

"Elementary and high school education will conform generally to the standard of the state in which the relocation center (sic) is established."

In Manzanar High School, we were taught by teachers who had not received a college degree, had classrooms without furniture, tried to conduct chemistry experiments with alcohol flame rather than a Bunsen burner, generally found ourselves trying to educate ourselves.

Each of us has our horror stories about failed fiduciary duty. It does raise the ante. It's now over 26 billion. It also brings into play a recent Supreme Court decision granting the Quinnault Tribe (Native Americans) the right to sue the United States and to overcome the defense of sovereign immunity. The argument was the government's failure to exercise its fiduciary duty to the Tribe's timberland. It's another argument to try to get us into court. But again, there is no guarantee. It's still high-risk.

Peace,

Willian Hohri

Willian Hohri

* Oral arguments are being rescheduled again.

PERTINENT . . .

On Thursday, July 21, 1983, Congressman Mike Lowry (D-7th Wa.) and William Hohri were guests of Fred Fiske on his talk and call-in show held in Washington, D.C., on WAMU-FM. The following are exchanges and comments excerpted from a tape made of the interview.

Fiske: "... Back there, in 1942, the FBI investigated and recommended against it—mass evacuation—and a President who was widely regarded as a liberal President, went ahead with it. How—why?"

Lowry: "Because, we let politics replace principles. It was a political decision."

Fiske: "Political in what sense, Congressman?"

Lowry: "Political in being afraid to address the American people and tell them the truth and not succumb to this war racist hysteria that was going across the country. You, of course, do remember those headlines that said, 'Those dirty yellow Japs,' and on down the line. And there was a war hysteria racism created. And so almost every politician and elected official in the United States—including the President of the United States—succumbed to that political hysteria, rather than adhering to the principles of the Constitution. That can happen again in another situation to another group of Americans. That's why we must demand the principles of the Constitution."

Fiske: "Congressman Lowry was telling me during the newsbreak a while ago, that the two Japanese Americans who serve in the United States Senate, both of whom served in the war and one of whom—Senator Inouye of course, was wounded grievously—are entering a bill to the Senate similar to yours?"

Lowry: "Yes, the senators will be doing that and I think there will be a lot of very significant sponsorship in addition to that. A \$1.5 billion dollar bill—and that's a very good bill. We also have other legislation going on in the House that's going to have significant sponsorship—the Majority Leader, Jim Wright—the Majority Whip, Tom Foley."

Fiske: "Do you suspect that if you dropped this bill in the hopper a couple of years ago—when we weren't battling over money as much as we are nowadays—that you'd have an easier time of it?"

Lowry: "I believe that is true. Dollars are tight and are tough and we know that. You talk about priorities. What I always like to point out is in this same three year period of time, we will spend \$750 billion dollars on the military to defend freedom of this country. And we are talking about \$1.5 to \$2 billion dollars or so, in the legislation we are talking about here. And it seems to me, that it makes a lot of sense to be going for this legislation."

Fiske: "Something to think about."

Caller: "My proposition to you is this. That a billion dollars spent today, in 1983, is not going to have anything to do with the attitudes—as a matter of fact—it could actually exasperate attitudes in 1993. and what we want to do is—we want to focus not on dollar remunerations, but we want to focus on principle. The principle obviously is that a heinous wrong has been done to Japanese Americans and that no dollar amount can overcome that. As a matter of fact, one could argue narrowly that the enormous success of Japanese Americans in the United States—as I perceive it—argues that irreparable damage hasn't been done to them. And similarly, one could look at other minority groups who have never been recognized. I could think of dozens, and I won't name any one of them who have gone through hell in this country because they came from Eastern Europe, Southern Italy, or this or that. They have never called for reparations, and they could."

Fiske: "Bill."

Hohri: "I think the question that you seem to be waltzing around, is whether any Americans have any rights under the Constitution. Now, if we can deprive a large group of Americans—whether they be a minority group or not, and I think it's irrelevant. If this country can deprive over 100,000 persons of their Constitutional Rights: whereby they are allowed no hearings; they are allowed no due process; they are allowed no habeas corpus; none of the resources available to them under the statutes of our country. Do you think that's a tolerable situation?"

Caller: "No, I don't."

Hohri: "I find that intolerable and that's something that has to be remedied, otherwise it remains ..."

Caller: "But, I can assure you that other minority groups throughout the history of the United States have found themselves disfranchised before the law—have found themselves stripped of the absolute, most basic dignities."

Fiske: "However, I would doubt whether any other situation is exactly analogous to this. Because while blacks obviously during a large part of our history, were offended against, it was under the terms of the law. The Japanese Americans were treated in contravention of our existing laws at the time—and there seems to me—to be a difference."

Caller: "I understand."

Caller: "I'd like to make six very brief comments."

Fiske: "They had better be brief, if there are going to be six."

Caller: "The first is—those victims never brought suit, so the precedents stands. They had no complaint. The second is—the party in power could be responsible. The third is—to charge another generation with another generation's crime is what the first caller said, a 'taint of blood.' The fourth is—the Japanese themselves are the real people who are liable. We are the innocent victims. In other words, they should be suing the Japanese themselves—the Japanese government. Another one is—that the Civil War victims lost about 250,000 men that were killed. And there is a Constitutional Law that says, 'the Federal government cannot invade the States.' That's Section 464. But the Japanese were not murdered in those camps, and the Southern soldiers were. And the last one is—whatever the political parties at that time say that law to be, that is the law. The parties are liable for that—the Japanese moreso—the Japanese government are the only liable people here."

Lowry: "There were suits brought early on by individuals who were trying to protect their individual and civil liberties, so there have been suits fought for a long time. One thing is misunderstood tonight was that for a long time starting right after the war, there were many people who had been interned actively working—to try to correct that injustice and work for compensation."

Caller: "Have they sued the Japanese themselves?"

Lowry: "No, no. It was their government—the American government who was the..."

Caller: "I'm talking about the persons who are going to court against the American people. Have they sued the Japanese people?"

Lowry: "No, they have not sued the Japanese people."

Caller: "Well, they started the war."

Lowry: "That's right, but ..."

Caller: "Why should we suffer?"

Fiske: "Let him answer."

Lowry: "In the first place, we won't be suffering. We will all be benefiting. My rights and your rights ..."

Caller: "I won't."

Lowry: "Yes, you will, because my rights and your rights will be more strongly protected against the government being able to do things ..."

Caller: "But the Japanese were the criminals—the original criminals."

Lowry: "The Japanese government was totally different of course from the Americans of Japanese ancestry."

Caller: "I'm not saying the Japanese government. Sue the people themselves, over there. You know where they live. You can get their addresses over there in Japan."

Lowry: "Well, that is not the point of what we're doing. We're trying to get our government to obey our own Constitution, which is to protect individuals against government action that violates individual liberties."

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