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As far as handling this Japanese American issue, mainland West Coast and Hawaii acted as if they were two different countries motivated by altogether different philosophies and needs. One could hardly guess that the two regions were fighting the same enemy in the same war, responding to the same military urgency and being defended by the same Army and Navy.

But what a difference a Commanding General can make!

10. Why Not Ask Japan For Compensation?

Because of our national economy, which struggles with an astronomically high deficit, and a budget-conscious Congress, suggestions have been advanced that we Nisei war veterans seek whatever compensation is desired from the government of Japan.

After all, the argument goes, Japanese navy and air forces attacked Pearl Harbor and started the chain reactions that resulted in the incarceration of all of the Japanese population on the West Coast in prison camps. Moreover, Japan has become a major industrial power and has developed a huge surplus in its trade with the United States, so it is the logical choice for contributing such payments to Japanese Americans.

We reject such a proposition. Japan did initiate hostilities. But we are not citizens and subjects of the Emperor of Japan, and never were. We are citizens of the United States, not of Japan. We were herded into these concentration camps, American-style, here on American territory, not by Japanese militia but by United States troops. As in the case of "dual citizens", we Nisei war veterans do not want to acknowledge, even informally and indirectly, any citizenship relationship with Japan, then and now. We are interested not in apologies or compensation from Japan, which was the enemy, but from the United States, the land of our birth and citizenship.

If our tragic travails are not to be repeated by Americans in America on Americans, H.R. 4110 provides the authoritative answer: redress by, for, and of Americans.

Even if we wanted compensation from Japan--which we reject outright--it seems to me, if I recall correctly, the Treaty of Peace which the United States signed with Japan in late 1951 in San Francisco, waives any and all such claims that some Americans might have against Japan.

Token reparations from Japan in various forms were required and paid in accordance with Treaty obligations. But, the Japanese Treaty is unprecedented in world history; rather than being a document of revenge and repression, it is one of rehabilitation, reconstruction, and friendly cooperation for the mutual benefit and advantage for both former belligerents.

We Nisei war veterans, especially those who served in Japan during the period of Allied Occupation and indoctrinated the Japanese in the principles and practices of democracy and free enterprise, do not want to contribute to the

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violation of either or both the spirit and the objectives of that historic treaty. We neither want or would accept compensation for wrongs committed us citizens by our own government from a foreign government, even if that foreign sovereign initiated the chain of reactions that caused us such tragedy and humiliations as it did. This is not what the instant legislation is all about.

That there is a movement among other Americans who were subject to cruel and inhuman treatment by the Japanese military in World War II is known to us. They are seeking "redress" in the form of compensatory payments from Japan for torture, such as endured in the Bataan death march, use as slave labor, and other barbaric acts in violation of the laws of warfare and international conduct. That legislation for such purposes has been, or will soon be, introduced is not to be confused with our efforts.

In those cases, it was the Japanese Imperialists who committed such atrocities and it was on the battlefields of that war--in the Pacific and Southeast Asia. If there is any punishment to be meted out, it seems legitimate enough to us that Japan at least be requested to consider such demands on the basis of their responsibility for such actions.

These were wartime cases of enemy action against American citizens, a very different situation from American government action against certain American citizens solely on the basis of racial "affinity" to the enemy, far away from an active theater of armed conflict.

It remains in my mind that Spain acted for Japan and the Swiss for the United States in this period when diplomatic relations were not recognized between these belligerents.

Also, as I remember, when the Spanish representatives visited the WRA camps, they looked only after the interests of the Issei who by automatic definition were "enemy aliens" because of their continuing Japanese nationality. And, when the Swiss discussed the "representations" made by the Spanish government on behalf of Japan to Switzerland, the plight of Americans of Japanese ancestry was seldom, if ever, discussed, and then only in the context of being citizens of the United States.

If memory serves me correctly, then, we evacuee Americans were considered at all times as being Americans, not Japanese. And that is another reason why the Japanese, if asked, would probably dismiss any requests for "redress" from Japan itself. Redress, after all, to them is entirely an American issue, and not that of the Japanese Government.

11. Are There Any International Implications?

To the above natural inquiry, the obvious reply has to be in the affirmative, for there is little doubt that the so-called colored peoples of the Third World equate these congressional hearings with the continuing contests

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between Caucasians and non-whites, especially Asian Americans, and even more particularly the Japanese, for "equality and justice".

To many who remember World War II in the Third World, in a sense that was a race war, much of it against the colonialism of the European nations. Hitler concentrated on the Jews, with the resultant Holocaust, but his theories on a "superior race" are too well recalled. That the Japanese also considered World War II in racial terms, especially for propoganda purposes, is too well remembered. For instance, on July 7, 1943, when the WRA was under congressional investigation, Japanese broadcast emphasized that "The Anglo-Saxon race feels superior to the Asiatics. Latest happenings in the United States show that their slogan, equal rights for all the people, is nothing but a lie."

To both Axis Sally and Tokyo Rose, these were almost daily themes in the propoganda broadcasts to Allied troops. This same racist presumption was broadcast to all the peoples of earth too, for scapegoating racism is an easily understood means to empathize with certain others.

Even as to myself, my citation from the Army for a Legion of Merit medal recognizes my work as chief of public information for the 442nd for "refuting the propoganda in the Far East as to the nature of the War", among other activities.

From our own recent experiences, we Nisei veterans know that there is much more international interest in this relatively "easy-to-understand" issue than for any headlined in the last few years involving America's treatment of its Asian-Pacific minorities.

More inquiries from Japanese journalists, television commentators, feature writers, and columnists have been received than for any other recent news event. Understandably, the Japanese are most interested, and they seem to put it on the context of the continuing struggle against the western nations for recognition as people of civilization and merit. They remember that Americans, along with other western powers, imposed strict restrictions on the immigration of Asians, especially the Chinese and the Japanese, considering them as "inferior peoples" who would not be welcomed as naturalized citizens and ought to be excluded as soon and as much as possible as immigrants.

This legislative inquiry is to them a redeeming quality of American democracy, this willingness even after four decades to consider redressing their Japanese American citizens for wartime losses in some tangible and meaningful form.

Those who were present when the CWRIC opened its public hearings in the Senate Caucus Room two years ago will remember the many television crews who were in attendance, representing all three of the major networks and several lesser ones, plus those from two Japanese television systems. There were also many newsmen and radio commentators from, in addition to those from

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the United States, several Asian, African, and European nations. This could have been the best covered news story of its type in history.

In Japan, there is a so-called Nisei "boom" with more stories about the treatment of Japanese Americans in World War II in the newspapers, magazines, radio, and television than ever before. Actually, until now, Japanese Americans were a little-considered minority among the Japanese. Now, there is much interest because of this recent publicity or "notoriety". At the moment, for example, the Japanese Broadcasting Company (NHK) is telecasting a 52-week docu-drama series on Japanese Americans that has become controversial, in part, because of its possible impact on this "redress issue" in the United States.

At any rate, there is no denying the vital worldwide interest in these congressional proceedings, especially since--at this particular time--both the Administration and the Congress are insisting on human and civil rights in Third World countries to which they intend to provide economic, military, and other aid.

The constant question being asked throughout the world today, insofar as this redress effort is concerned, is whether the United States, even 40 years after the fact, is willing to approve legislation like H.R. 4110.

Briefly put, is the United States willing to put its principles where "its mouth is" and provide meaningful, corrective, and remedial relief.

12. What About The Latest Intelligence Claims?

Lately there have been a number of news stories to the effect that the CWRIC failed to call in witnesses who claim to have certain intelligence information regarding Japanese Americans in World War II that has never before been revealed.

While it is an accepted fact that the Commission, through its own research facilities and available witnesses, made a sincere and honest effort to investigate all known intelligence sources to try to ascertain the truth or falsity of certain allegations regarding Japanese Americans in World War II, it is possible, though not probable, that there will ever be information contrary to that discovered by the CWRIC.

A check of the record demonstrates that, officially, the Federal Bureau of Investigation, the Navy's Intelligence Service (which was given the specific responsibility by the Roosevelt Administration for overlooking the activities of the Japanese in the United States), the Army's General Headquarters Staff (which had to be privy to all the intelligence secured by its own Intelligence Services), and the Federal Communications Administration (whose major responsibility was to monitor and analyze all communications between the enemies of the United States and any spies or other internal sources that

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these enemy countries had in this country), all agreed that, before, during, and after World War II, there was no conviction of any resident Japanese national or Japanese American citizen for sabotage and/or espionage. (emphasis supplied)

The above official agency statements have never been denied or refuted, or even modified and/or revised in any significant way whatsoever.

There are those who have tried to argue that the convictions for treason of Tomoya "Meatball" Kawakita and Eva "Tokyo Rose" Toguri contradict those statements regarding the loyalty of the American Japanese.

To begin with, it must be conceded that their crimes, if any, were not committed on American territory, so they could not have been "resident" Japanese. In the second place, neither of them was charged with espionage or sabotage.

Kawakita, who claimed that he had lost his United States citizenship through renunciation and various other acts in Japan, was a Prisoner-Of-War guard who was accused of beating some American prisoners. Other American prisoners claimed that Kawakita had befriended them, by providing at considerable risk to himself, scarce food and medicines. Convicted to death, President John Kennedy pardoned him on condition that he return to Japan and never return.

Toguri was one of 18 broadcasters known as "Tokyo Rose", though she was the only American so employed. Since she refused to renounce her United States citizenship, she suffered greatly at the hands of the Japanese police and other officials. When she was first investigated in September 1945, she was released by the Army on the basis of insufficient evidence. Again arrested, following an even more intensive investigation, she was released for the same lack of evidence. The FBI also investigated and ordered release because no prosecution was anticipated; again lack of necessary evidence.

After a strange and disturbing jury trial, in which witnesses were said to have been bribed to testify against her, with other witnesses offered "trips to San Francisco as rewards", etc., she was found guilty at the longest and costliest trial of its kind in American judicial history. Suppression of crucial facts, and even destruction of critical papers, by government attorneys had a melancholy resemblance to similar action in the evacuation test cases. Sentenced to ten years imprisonment and a fine of \$10,000, she now resides in Chicago after what could well be the gravest miscarriage of justice of its type on record, with even the prosecuting attorney urging that she be pardoned for her alleged treason.

In late February of this year (1984), Hawaiian newspapers featured the sensational story that World War II tank commander and hero General George Patton had, as a Colonel in charge of military intelligence between 1935 and

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1937, questioned the loyalty of the Japanese American population and developed a plan for taking at least 128 prominent Nikkei "hostage" in case of a war with Japan and otherwise securing the safety of the then Territory. At least two of those listed by Patton became members of the State Supreme Court after Hawaii became a State in 1959, several others became elected public officials, and at least four served with great distinction in the Army during World War II, with two of them having had leading roles in the development of MIS to become "America's secret weapon" against the Japanese enemy. Most of the others were elderly Issei community leaders and Buddhist priests.

This intriguing bit of history was uncovered by Michael Slackman, historian for the USS Arizona Memorial, who observed that the "Patton Plan" was discarded as obsolete before the Pacific War started and never was implemented. Nevertheless, there is a suspicion that parts of his plan were used not only in Hawaii in the hours immediately following the Japanese attack, but also may have influenced General DeWitt in his planning for the West Coast evacuation, especially since the then Colonel's superior was General Hugh Drumm, a classmate at West Point of General DeWitt and who served as the Commanding General of the Eastern Defense Command at the same time that DeWitt was in command on the West Coast. This relationship may also account for the fact that the Eastern Defense Command was the most difficult for evacuees to receive clearances for school or employment in World War II.

Although the "Patton Plan" does not disclose the intended fate of the hostages, Slackman concludes the "Patton had no compunctions in principle about shooting civilian prisoners".

In analyzing the newly found papers, the author concludes that "Clearly, Patton considered Hawaii's Japanese to be of questionable loyalty to the United States. He apparently believed that only the threat of strong retaliation would prevent the emergence of a "fifth column" in the event of war or crisis between the United States and Japan. It was an assumption shared by many of Patton's contemporaries." Though the plans show many of the traits that made Patton such a superb battlefield commander, it also showed the famed general-to-be beset with "social myopia, prejudices, and political naivete," researcher Slackman said.

"The hostage plan, with its groundless assumption of Japanese disloyalty derived from his background and his peers, shows Patton radically mistaken in his judgment and a captive of the conventional wisdom of his milieu," historian Slackman concluded.

How fortunate the Japanese in Hawaii were, that at the time of the December 7, 1941, attack, General Emmons was the Commanding General, and not one of Patton's thinking.

Several weeks earlier, John J. Stephen, who now teaches modern Japanese history at the University of Hawaii, fluent in Japanese who has lectured at leading Japanese universities, and author of many books on Japanese military

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history, authored a book "Hawaii Under The Rising Sun: Japan's Plans For Conquest After Pearl Harbor", published by the University of Hawaii Press, 1984, which was released on the 43rd anniversary of Pearl Harbor day.

The product of extensive research in Japan's military archives, as well as in prewar and wartime Japanese literature about Hawaii, the untold story of Japanese planning for invasion and occupation of the American Territory was conceived by officers on the staff of Admiral Isoroku Yamamoto, Combined Fleet Commander, who thought that the invasion of the Islands was the supreme blow that would preclude an American counteroffensive, force President Roosevelt to the peace table, and guarantee Japan's future dominance of the Pacific Basin as its Greater East Asia Co-Prosperity Sphere.

While the military planned for an invasion, civilians prepared scenarios of Hawaii under Japanese rule, including restructuring the economy, reforming society, and laying the basis for a new political administration. Revival of the Hawaiian monarchy, the identification of potential collaborators, and the reeducation of Americans of Japanese ancestry were among the specific topics discussed.

That Japan abandoned, after deciding an assault on Hawaii's beaches, was fortunate, among other matters, in that it did not demonstrate the accuracy or errors in the judgment of the Japanese imperialists. That their evaluation of the loyalty of Americans of Japanese ancestry was in serious error was proved by their reactions during and after the Pearl Harbor attack.

More recently a former National Security intelligence officer has come forth with what he described as evidence that would cause the CWRIC to revise and modify its assessments of Japanese American loyalty. He claims that the so-called Magic Cables which he has discovered and interpreted, demonstrate that the Japanese Army and Navy shows conclusively that they intended to use the Nisei in their intelligence, espionage, and sabotage programs.

Although this alleged new information surfaced after the formal publication of its Reports, the CWRIC reviewed the cables and has issued an addendum to their earlier documents.

Summarized briefly, the Commission found that "the 'Magic' cables confirm their basic analysis presented" concerning Japan's intelligence efforts on the West Coast. It also found that these cables reveal that Japan's intelligence efforts were directed toward recruiting information from a variety of sources and emphasizes that "Utilization of U.S. citizens of foreign extraction, that is other than Japanese, aliens (other than Japanese), communists, Negroes, labor union members, and anti-Semites in carrying out the investigations...would undoubtedly bear the best results."

In fact, American intelligence agencies knew from the secret, intercepted "Magic" cables that the Japanese government had instructed its staff to "avoid" the use of Japanese Americans in gathering information. As they

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reviewed this allegedly "new information", the Commission came to the conclusion that "there was no good argument for excluding or detaining Japanese Americans in World War II."

Either General DeWitt's intelligence was very bad and wrong or he was simply incapable of comprehending the meaning of the Japanese American reaction to the enemy attack. DeWitt actually seeks, in his Final Report, to explain and justify the evacuation and subsequent actions in terms of the success of the Pearl Harbor incident and the imminent danger in which our Hawaiian stronghold stood. Yet, none of the drastic deprivations of the mainland were ever adopted there.

A sociologist-historian, Dr. Morris Opler, reminds us that if there were not another single scrap of evidence in the wide world to demonstrate that evacuation and all that followed were unnecessary, the Hawaiian example should have been more than sufficient.

The Hawaiian reaction unmistakably answered the question of what persons of Japanese origin would do in the event of an attack by the Japanese enemy. It answered the question of whether those of Japanese background, Nisei and Issei alike, would take advantage of confusion, reverses, and disaster to commit sabotage in the event of an enemy attack. It answered the question of whether a "fifth column" existed among the Nikkei which was ready to act when the enemy struck. It answered the question of whether the "ethnic affiliations" of the people of Japanese descent residing in or native to the United States were with America or Japan. It also answered the question of whether all of the Japanese population in the United States, if they were left unmolested and were able to be patriotic and law-abiding, would cooperate cheerfully and willingly for the common good and the common victory.

If only the JACL had the true story of Honolulu on December 7, 1941, instead of the rumors, lies, and speculations concerning the reaction of those of Japanese ancestry on that fateful day. DeWitt should have known, or did know, as the Commanding General of the Western Defense Command what had truly occurred there. Why didn't he, and/or his associates in the Presidio, understand the answers to the questions he never need to have asked.

To me and many such as I, in spite of General DeWitt's suspicions, we Japanese Americans could not act as spies or clandestine agents for the Japanese enemy. We simply are too visible, too easy to distinguish from others, too discernable in a crowd, to be employed by the Japanese for intelligence activities. Probably no other group in American history has been investigated and scrutinized as much as we Issei and Nisei.

As far as we have been able to ascertain, except for one individual who failed to register as an agent under the Foreign Agents Registration Act under mitigating circumstances recognized by the judge in the case, no resident alien or citizen of Japanese origin was indicted and convicted.

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But several Germans and Italians were, more of the former than of the latter though, and then only in few numbers. Several of the convicted were American-born too, including at least one Caucasian woman.

While on this general subject of Japanese intelligence, I must confess that unofficially and informally I made a personal request of a friend at the Embassy of Japan here in Washington to check back with his home office in Tokyo and try to ascertain from available records whether the prewar Japanese government had ever paid a Nisei to engage in espionage or sabotage against the United States.

Because there is a New Japan in existence today which abhors its pre-war and wartime governments, I thought that it was not completely futile to have the inquiry made. Weeks later I received the information that, according to available records, Japan had never attempted to engage a Japanese American for espionage or sabotage purposes. It was explained to me that many official files and papers had been either destroyed or lost during the war.

But, I was reminded, the Japanese government would have been foolish to employ Japanese Americans for such purposes because they are far too visible and too easily recognized by American intelligence officers, law enforcement officials, and other war-related agents.

The problem of the so-called renunciants deserve some comments, as do those few who refused to be inducted into the Army when called by Selective Service.

Some 5,700 Americans of Japanese ancestry renounced their United States citizenship under a special law provided for this purpose in 1945. Many were children who felt that they had to accompany their aging alien parents to Japan for compassionate reasons. A few were so young that they could not have fared on their own in this country. But the majority were simply human beings who believed that their country had "let them down" and made them victims of the special kind of racism that permeated California and people like General DeWitt.

After the war, some 4,000 of these renunciants changed their minds and requested that they be permitted to remain in the United States. Since they had voluntarily given up their United States citizenship, they were now not aliens admitted into this country for permanent residence, nor were they citizens. In the first court opinion, Federal District Court Judge Charles Cavanah, on special assignment in Los Angeles from Idaho, held that their renunciation had been invalid and that their citizenship should be restored. All had claimed that their renunciations were made under duress, undue influence, and coercion, that their renunciations had not been "free and voluntary". Subsequently, Judge Louis Goodman held that 2,371 other renunciations were invalid too.

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To me, the vital importance is not that more than 5,500 evacuees had renounced their citizenship. To me the miracle is that, considering the circumstances of their evacuation and the conditions of the prison camps, only so few gave up their citizenship, thereby demonstrating a belief and faith in America that not so many have these days.

Several court cases involving draft resisters, far less than a hundred in all, mostly from the Heart Mountain camp in Wyoming, resulted in contradictory results. Depending on the jurisdiction, some were held not to be in violation, while others were held in violation. In most instances, the draft "dodgers" insisted that if all their constitutional rights were restored to their families and themselves, they would accept induction into the armed services.

On December 12, 1947, President Truman granted a full pardon to those convicted of violating the Selective Service Act.

Historian Roger Daniels raises an interesting point, whether there is "more heroism in resistance than in patient resignation", whether or not the kind of alleged "passive submission" as advocated by JACL "is the proper way for free men to respond to injustice and racism".

As a Nisei war veteran, I can only comment that had it not been for JACL's "constructive cooperation" in the first instance and the heroic gallantry of Nisei servicemen in the 100th, 442nd, and MIS thereafter, there probably would have been no place for the various tests that were made. If the Army had remained in control of the camps, and if the public understanding of the general populace had not been touched, we wonder whether others would have been given the opportunity to resort to judicial inquiry. In a sense, the conduct of the evacuees and the heroics of the Nisei GIs made possible the freedom to attempt such efforts at the law, etc.

13. Isn't A "Bad" Precedent Being Established?

Since the World War II mistreatment of American Japanese is unique and unequalled in the history of this country, there are some among the few who, while conceding that evacuation was a serious deprivation of human and legal rights, are concerned that redress in this particular instance might establish a "bad" and "dangerous" precedent for the future.

They recite the injustices, cruelties, and intimidations practiced against Negroes, Native Americans, Hispanics, and others, warning that redressing the Nisei and Sansei survivors of evacuation will only encourage and invite others to also seek a redress of their grievances against the government.

The saga of Black Americans is a dark chapter in civilized history, but they were originally brought over to this country as slaves. The epic of the American Indians is one of innumerable treaty violations with individual tribes. Those of Latin deprivation have not been subject to group incarceration

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simply the basis of race and place of domicile although they have been the victims of racial discrimination.

In my humble opinion, all of these minorities, and all others who have a legitimate claim, should have the opportunity to seek their constitutional prerogatives of demanding a "redress of their grievance" against the appropriate authorities, regardless of the time that has lapsed since they suffered what Americans should never be asked to endure.

Though in our case, we are seeking redress for the unAmerican and illegal travail visited upon us by our own government, in violation of our constitutional rights, when the civil courts were freely functioning, we do not begrudge our fellow beings from seeking their own remedies and relief.

They are entitled to "their day in court", as it were, whether that be in a forum of law, or in the National Legislature, or in administrative action, or a combination of all these procedures. As Americans, this is their right. As human beings, this is their due.

On technical grounds, I suppose we could distinguish our particular experience from those of others.

But we Nisei veterans do not believe that we should, as a matter of simple justice to our fellow Americans who have also been called upon to endure more than most other citizens. And, we do not believe that we would be establishing a "bad" legal precedent. On the contrary, we suggest that we are establishing a "good" precedent.

If we are sincere in the protestation that our experience should never be visited upon any other individual or group on the basis of an "affinity" which is not of their making, we need to make certain that those in authority will understand that by so doing they are inviting a claim for redress. And that price of redress should be so high and so difficult to attain that it will serve as a constant warning to all leaders, civilians or military, that the cost of bigotry, discrimination, and hatemongering is so expensive that they cannot afford to indulge in such actions.

In other words, contrary to the general reaction that we understand has greeted this query as to establishing a "bad" and unnecessary precedent, we say that what we are trying to achieve by our actions and testimony at these hearings before this congressional subcommittee is, in effect, to reaffirm the constitutional right to seek "redress of grievance" for all who may now, or in the future, need their prerogatives and heritage as Americans observed, regardless of the circumstances, time, place, conditions, and who in authority is concerned.

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As Americans who were forced to abandon our homes and surrender our properties, freedom, liberties, and opportunities because a single Commanding General was the victim of a special virus of racial bigotry and he was supported by his superiors in Washington who failed their responsibilities as guardians of the public trust and safety, we can do no less. So, please do not ask us about precedents, either in the past or in the future.

We do not believe that there should be any statute of limitations on the presentation of redress petitions based on government wrongdoing, or on precedents that restrict any submission for the redress of legitimate injustices and/or inequities arbitrarily imposed by official fiat, regardless of the level of officialdom involved.

14. Why Monetary Compensation As Redress?

Knowing that the deprivation of constitutional and human rights cannot be measured in terms of dollars and cents, and that no amount of money can make "whole" again the evacuees who lost so much in time and treasure, this dilemma of seeking monetary compensation as part of the redress "package" as drafted in H.R. 4110 has caused more controversy than any other aspect of this entire redress effort.

We Nisei war veterans will not put a "price tag" on our patriotism and our battlefield exploits, nor could we if we tried.

We veterans are mindful that within the Japanese American community a similar controversy is going on.

The United States Census for the 1980 decade reveals that those of Japanese ancestry are more affluent than most other ethnic minorities in this country.

At a difficult period in our national existence, when there are so many hungry and needy on our streets, when there are so many unemployed and underemployed, when food stamps for children and others are being reduced, when mortgaged homes are being foreclosed, when businesses are going bankrupt in unprecedented numbers, etc., why should the evacuees place another monetary burden on the national budget, especially when it is acknowledged that our nation is staggering under a national debt that now is over--for the first and only time --a trillion dollars?

Inasmuch as whatever sum is approved as redress will be only token and nominal, and far from what was suffered individually or as a group, would it not be demeaning and even insulting to accept such a picayunish amount?

By their conduct over the decades, Americans of Japanese ancestry have earned the respect and goodwill of most Americans as an exemplary, even "model", ethnic minority. At the same time, Americans of Japanese origin are being blamed for what some consider Japan's unfair trade practices. Should the generally favorable image enjoyed by the Nikkei be gambled on the possibility of

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a "public relations" backlash that will encourage the anti-Japanese bigots and hatemongers who have been waiting since the end of World War II to revive and reactivate their campaigns of prejudice and persecution?

The average citizen cannot distinguish between Japanese Americans and other Asian and Pacific peoples who now populate this country in more substantial numbers than did the Issei and Nisei prior to December 7, 1941, largely because of JACL's successful legislative campaigns to substitute equal opportunities for all Asian and Pacific peoples to emigrate to the United States on the same basis as Europeans for earlier exclusion.

Because this latent animosity towards Japanese nationals visiting in this country is revived by some racists who cannot recognize the differences between "Japanese" and other Asian Americans, our fellow Asian and Pacific peoples are sometimes subject to violence, robberies, arson, harassment, and intimidations. By seemingly appearing selfish and greedy in this matter, are we Nisei, Sansei, and now the Yonsei being unfair and destructive to those of Asian and Pacific origin in this country?

Moreover, in the legislative picture, we are aware that there are quite a number who, while favoring other aspects of redress, are disturbed by asking for monetary payments.

John J. McCloy, who was the Assistant Secretary of War and probably the most influential living Washingtonian approving the World War II evacuation, has, among other matters, argued that the American taxpayer should not "pay for the consequences of an indisputable act of aggression by Japan". The nation's governors, after an emotional debate, took the position that the United States owes an apology, but no money, to those who were the victims of evacuation. The United States Commission on Civil Rights has approved an apology but its Chairman is opposed to any payments, noting that he cannot seek redress because his grandfather suffered as a slave. One Commissioner of the CWRIC, and the only one, Vice Chairman and Congressman Dan Lungren of California, is reluctant to put a "price" on the evacuation, saying that "Money is not necessary or appropriate under those conditions (of wartime relocation). I don't think that gestures have to have money to be sincere. Besides, just because mistakes were made during a time of war, taxpayers of later generations shouldn't have to pay."

On the other hand, the Pacific Coast States, including many counties and cities, which discharged or required the retirement of American Japanese employed by them in the months after Pearl Harbor, have passed the necessary laws to allow token compensation to these pre-evacuation workers, usually amounting to about \$5,000 in redress token compensation to each former civil servant.

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Against all this argument is the basic and fundamental precept that "under our civil laws, money damages are the measurement of loss or injury suffered.

When a citizen loses his home and all of his possessions because of the wrongful act, even of a law enforcement officer, that citizen has the right to sue for money compensation to cover his losses. When a state or municipality, or the national government, confiscates land for public use, that landowner has the constitutional right--and obligation--to sue for "just compensation". When an individual is falsely deprived of his freedom and imprisoned, money is the legitimate recourse.

As recently as 1971, a Washington, D.C. court awarded the sum of \$10,000 each to some 1,318 Vietnam peace demonstrators for just being forced to spend two days in confinement in the municipal stadium. Earlier, a War Claims Commission established by the Congress awarded millions of dollars to American prisoners of war of the Japanese and to certain owners of certain types of property destroyed or damaged by the Japanese Army in its aggressive actions in the Pacific and Southeast Asia. Native Americans are continuing to seek money damages for treaty violations going back more than a hundred years through legislation and/or litigation. Survivors of nuclear tests, of dangerous chemicals, and of "Agent Orange" use in Vietnam are almost daily instituting court cases to receive compensatory awards.

Affirmative action programs, "head start" projects, bilingual education schools, and many other special plans are calculated and designed to aid the disadvantaged, denied, and deprived over the years to "catch up" with the progress of the nation. The black Chairman of the Civil Rights Commission, of all people, should be aware of these outstanding efforts to bridge generations of prejudice, discrimination, and intimidation faced by Negroes, Latinos, and other ethnics.

All of these specialized programs, including employment quotas and even the controversial bussing of school children, are by definition forms of redress for past grievances and all are paid for by government appropriations which are, in a sense, compensatory monetary indemnification.

The CWRIC deals with this delicate and sensitive responsibility by suggesting a number of forms that redress might take, including monetary compensation, in "Part 2" of its Report entitled "Recommendations".

These facts (concerning losses of tangible and intangible properties and physical and mental illnesses and injuries) present the Commission with a complex problem of great magnitude to which there is no ready or satisfactory answer. No amount of money can fully compensate the excluded people for their losses and sufferings. Two and a half years behind the barbed-wire of a relocation camp, branded potentially disloyal because of one's ethnicity alone--these injustices cannot

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neatly be translated into dollars and cents. Some find such an attempt in itself a means of minimizing the enormity of these events in a constitutional republic. History cannot be undone; anything we do now must inevitably be an expression of regret and an affirmation of our better values as a nation, not an accounting which balances or erases the events of the war. That is now beyond anyone's power.

It is well within our power, however, to provide remedies for violations of our own laws and principles. This is one important reason for the several forms of redress recommended below. Another is that our nation's ability to honor democratic values even in times of stress depends largely upon our collective memory of lapses from our constitutional commitment to liberty and due process. Nations that forget or ignore injustices are more likely to repeat them.

The governmental decisions of 1942 were not the work of a few men driven by animus, but decisions supported or accepted by public servants from nearly every part of the political spectrum. Nor did sustained or vocal opposition come from the American public. The wartime events produced an unjust result that visited great suffering upon an entire group of citizens, and upon resident aliens whom the Constitution also protects. While we do not analogize these events to the Holocaust--for the detention camps were not death camps--this is hardly cause for comfort in a democracy, even forty years later.

The belief that we Americans are exceptional often threatens our freedom by allowing us to look complacently at evil-doing elsewhere and to insist that "It can't happen here". Recalling the events of exclusion and detention, ensuring that later generations of Americans know this history, is critical immunization against infection by the virus of prejudice and the emotion of wartime struggle. "It did happen here" is a message that must be transmitted, not as an exercise in self-laceration but as an admonition for the future. Among our strengths as a nation is our willingness to acknowledge imperfection as well as to struggle for a more just society. It is in a spirit of continuing that struggle that the Commission recommends several forms of redress.

In making its five major recommendations, the CWRIC notes that "Each measure acknowledges to some degree the wrongs inflicted during the war upon the ethnic Japanese. None can fully compensate or, indeed, make the group whole again."

In its first recommendation, the Commission urges "that Congress pass a joint resolution, to be signed by the President, which recognizes that a grave injustice was done and offers the apologies of the nation for the acts of exclusion, removal, and detention."