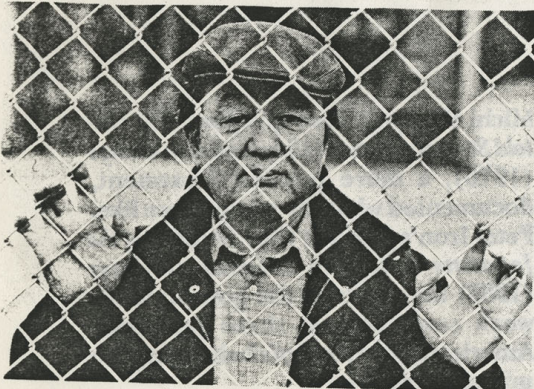


William Hohri, et al., v. The United States

United Methodist William Hohri Has Spent the Last 10 Years Fighting for Redress for Some 120,000 Japanese-Americans Interned by the US Government During World War II



by Sara Lowen

In less than 10 years, the Japanese-American redress movement has helped to blow up the claim that has persisted for decades: that internment was justified by military necessity. It has helped to remove the internment's stigma from Japanese-Americans.

Necessity has taken William Hohri in some surprising directions. Over the past 18 years, the 61-year-old computer programmer by trade has learned how to lobby congressmen, how to bring a class-action suit against the US government, how to raise funds, how to get the attention of the press, and most recently, how to author a book.

However, Hohri is a reluctant activist, someone who says he would gladly give up the movement for Japanese-American redress and spend his free time investing in the stock market. But the necessity, as he sees it, of seeking redress for himself and other Japanese-Americans who were interned during World War II won't let him rest.

In the past decade, he has been one of the redress movement's best-known militants. A slightly built man with a puckish smile, Hohri became an activist for the cause that held that internees should be monetarily compensated by the government, which violated their constitutional rights during World War II. In 1979, Hohri urged the introduction of redress legislation, ignoring ad-

vice from fellow Japanese-Americans that the proposal was politically unrealistic. Four years later, fed up with the slow pace of the Japanese-American mainstream redress movement, Hohri sued the US government for placing him and 120,000 other Japanese-Americans in internment camps.

Last August, President Reagan signed a bill establishing a \$1.25 billion trust fund that will provide a \$20,000 payment to each living Japanese-American interned during World War II. (Hohri's lawsuit asked for payment also to the heirs of internees, half of whom have died.) Several redress activists say that much of the credit for passage of this historic bill should go to Hohri.

"The redress movement began with a conservative effort," said Peter Irons, a lawyer and political science professor at the University of California in San Diego who won several key redress battles in court. "I think (Hohri) really prodded the leadership to act more strongly and more quickly than it might have."

Philip Tajitsu Nash, a City University of New York law professor active in the redress cause, goes even farther. He says that Hohri's lawsuit helped establish the terms of redress. And he argues that Hohri's lawsuit put a lot of pressure on legislators to pass the redress bill. Many lawmakers saw the suit not only as a costly alternative to the bill but as a move that could steal their thunder. They realized that leadership on the issue was long overdue.

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"I'm disappointed (by the Supreme Court action) because the decision was faceless. I think they could have explained why they rejected the case. In turning this down, they basically upheld the wartime decision of the Court that the internment was legal."

Michi Weglyn's *Years of Infamy: The Untold Story of America's Concentration Camps* (1976), a more popular treatment, documented what the camps were like. Peter Iron's *Justice at War: The Story of the Japanese American Internment Cases* (1983) documented the government's weak cases against three Japanese-Americans convicted of challenging the military's orders.

Hohri's contribution is that he follows up on the story of Japanese-Americans who had been in the camps; his work focuses on their efforts in the 1970s and 1980s to redress the wrongs that previous writers have already laid out. The book documents how the redress movement began and unfolded, telling who played what roles in its legal and legislative battles. Hohri also provides his candid commentary on the proceedings.

But Hohri does more than tell the story of the redress movement. Although *Repairing America* is not intended as autobiography, it contains a compelling account of how racial victimization led Hohri to his role as an outspoken proponent of civil rights—for all minorities.

The book opens with a brief account of Hohri's childhood in Los Angeles. In his youth, Hohri thought of himself as an all-American boy. He earned straight A's in school, played football, wore a box-top FBI badge, read the comics, and followed the adventures of radio hero Jack Armstrong.

By the time he was a teenager, Hohri realized that his Japanese ancestry set him apart from his classmates. Federal law prevented his parents and older si-

When Hohri began to receive more inquiries about the movement than he could ever hope to answer individually, he decided to write a book. When he began *Repairing America; An Account of the Movement for Japanese-American Redress*, published this year by Washington State University Press, he

had never written anything longer than a newspaper article.

There are already several excellent books on the internment. Roger Daniel's *Concentration Camps USA: Japanese-Americans and World War II*, published in 1970, was the first scholarly, academic assessment of the camps.

blings, who had emigrated from Japan, from becoming US citizens. As non-citizens, they could not own property in California. Restrictive housing covenants kept the Hohris from living in Westwood, where William attended school.

Japanese-Americans Arrested

Any hope Hohri had of being a typical American teenager unraveled on December 7, 1941. After Japan's attack on Pearl Harbor, FBI agents arrested his father as part of a massive sweep: 5,000 leaders of the Japanese-American community were rounded up for questioning. Hohri writes:

"My family could not understand how our father, an impoverished Christian minister, a visionary, a little scatterbrained perhaps, could be such a terrible threat to national security. . . . There was no trial where we could learn what the charges were—what the mistake, as it must have been, was. He was sent to a Department of Justice internment camp in Missoula, Montana. Only decades later was I to learn that hearings were held in that camp, in English. At that distance and in that language, he could hardly marshal a defense."

Ten weeks later, President Franklin Roosevelt issued an executive order granting the authority to "exclude" all Japanese-Americans from the west coast. More than 120,000 Japanese-Americans were forced to leave their homes, sell their property and businesses, often at a considerable loss, and move to a detention camp (there were ten scattered across the country). They never received hearings or learned the charges against them.

Among the internees were Hohri and his family, who were sent to Camp Manzanar in the California high desert. Manzanar was surrounded by barbed wire and patrolled by armed guards, and living conditions were primitive. Hohri describes living in barracks whose walls had such wide cracks that dust blew in from the frequent windstorms. They used buckets of water for bathing and washing clothes, drank water from barrels, and worked for lower wages than prisoners of war received under the Geneva Convention rules.



Like most of the other Japanese-Americans who were interned, Hohri and his family didn't resist the government's orders. As Hohri writes, "Few of us dared to ask under what law we were imprisoned. 'Normal' Americans find this hard to understand. People who have been raised within a day-to-day reality of discriminatory naturalization laws, restrictive housing covenants, job discrimination and simple snooty personal bigotry are not about to question the legal basis for their confinement."

Court Upholds Internment

By 1944, the government had rescinded the exclusion orders, setting the stage for the release of the 70,000 internees still in camps. But the end of the internment didn't restore to Japanese-Americans their reputations or self-respect. Although non-Japanese-Americans in the continental United States were charged with espionage during World War II, many Americans—including some Japanese-Americans—believed that the internment was unfortunate but justified by "military necessity." Three Supreme Court decisions in 1943 and 1944 that stemmed from legal challenges to the internment upheld the constitutionality of the military orders that barred Japanese-Americans from the west coast.

In the years following their release, many Japanese-Americans shrank from political activity, according to former internee and internment scholar Weglyn and the 1982 report issued by a congressional commission. They saw their position in American society as tenuous, and they wanted to blend into the American mainstream to avoid further trouble.

Hohri, on the other hand, developed a belief in social activism and a remarkable idealism about American democracy while he was in the camp. In fact, in an interview he wryly recalls the experience as "a tremendous civics lesson." His description isn't entirely facetious: one of his teachers in camp, he says, a socialist pacifist, made a strong impression on him when she played protest songs by black leftist performer Paul Robeson. "She was wondering about what kind of protest songs we were going to write about the camps," Hohri remarks. "We felt that what happened to us was wrong. But she began to make us aware of the political reality."

A Civil Rights Activist

Hohri's belief in social justice for minorities, reinforced by his Methodist faith, led him to join the civil rights movement in the 1960s. He took part in the March Against Fear through Mississippi in 1966 and calls it "one of the few

times I felt good about being an American." Through his church, he became active in protests against the Vietnam war.

Encouraged by the success of the black civil-rights movement and by new research on the Japanese-American internment, Hohri moved on to Japanese-American causes in the 1970s. He first participated in a campaign to win a presidential pardon for Iva Toguri, one of the several women known as "Tokyo Rose" who broadcast from Japan during World War II. Toguri, an American citizen who always claimed that the broadcasts were not intended to aid the enemy, was convicted of treason after the war but later pardoned by President Gerald Ford.

In 1979, Hohri urged the Japanese American Citizen League (JACL) — the oldest and largest organization of Japanese-Americans in the United States, with both national and local groups — to press for redress legislation. (The Evacuation Claims Act of 1948 had provided a total of \$37 million in compensation to Japanese-Americans, but that covered only a fraction of their losses. It has been estimated that, in 1983 dollars, total property loss to internees was \$2-\$6 billion.) The group's leadership backed away from its previous support for such a bill, saying that, given the conservative fiscal climate in the country, it had no chance of passing. Undeterred, Hohri and his supporters urged Mike Lowry, a Democratic representative from Washington, to introduce a redress bill. That legislation died in committee.

In 1980, Congress, following a suggestion by the national JACL, formed a commission to investigate the causes of the internment. Hohri criticized this commission as unnecessary, arguing that the injustice done to Japanese-Americans was already documented and the only logical step was redress.

The JACL leadership's timid approach to redress was particularly disturbing to Hohri because he saw in it echoes of the organization's cooperation with the government during World War II. During the war, JACL leaders urged Japanese-Americans to cooperate with the government. They disavowed those Japanese-Americans who made legal challenges to the inter-

ment. They urged those resisting the draft in protest of the internment to carry out their military duty.

As Hohri writes, "In the earlier period (World War II), most Japanese-Americans were unaware of decisions being made on their behalf (by the JACL). We hardly knew about the constitutional test cases, the substantial draft resistance, and the implications of JACL's opposition to these actions. But in 1979, we were not about to repeat the mistakes of World War II."

Social movements often seek progenitors, who provide both a model for action and a source of legitimacy. Hohri found his political forebears among a little-known group of Japanese-Americans who challenged the internment through various means. James Omura, Joseph Kurihara, and Kiyosih Okamoto were the first to advocate redress in the form of government payments to internees. During the war, all tried to improve the living conditions of internees, Omura working outside the camps, and Kurihara and Okamoto from within them. All suffered for their advocacy of an unpopular cause: Kurihara was sent to a high-security camp, and Omura and Okamoto were tried for (and later cleared of charges of) conspiracy to encourage draft resistance.

Hohri says he admires Kurihara in particular, for his anger over the internment and his passion about redress. "His character just makes a lot of sense to me," Hohri says. "It seems to me that's the way that people should have felt. But it's the way people couldn't feel. . . . Here's a guy who expressed his anger about what was going on, acted it out, wrote it down."

NCJAR Organized

Hohri showed himself to be as uncompromising as the early redress advocates. In 1979, when he and a group of supporters had become disillusioned by the JACL leadership's slow-paced approach to redress legislation, they broke away to form their own organization, the National Council for Japanese American Redress (NCJAR).

That year they began raising funds for a class-action lawsuit against the government on behalf of all Japanese-

Americans whose rights, they allege, were violated during the internment. The suit, filed in 1983 with Hohri as the lead plaintiff, sought damages of up to \$220,000 per individual—a sum 11 times greater than payments sought through redress legislation. The lawsuit listed 22 grounds for its claims, centered on the government's alleged violations of rights guaranteed in the Bill of Rights and elsewhere in the Constitution.

Hohri says in his book that filing the lawsuit was an act of "enlightenment and liberation" that tested the constitutional principles he learned in his internment-camp civics class. To some in the JACL leadership, however, Hohri's lawsuit simply certified him as a troublemaker. According to Irons and Tira Takahashi, Washington representative for JACL, some feared that he could jettison mainstream redress efforts with his long-shot suit.

Hohri believed, however, that the movement needed someone who could ask for redress without apology, who didn't care about his image, and who had a flair for getting attention "untypical of the Nisei." When asked about his tactics, Hohri says that he makes provocative statements at times, not to be outrageous but to hasten change. He mentioned the Black Panther Party, which he observed during the civil-rights movement, as one influence on his political style. The Panthers taught him, he says, "that it's all right to assert yourself and feel good about yourself, without being noble."

That was a lesson, Hohri says, that some Japanese-Americans, bent on living up to the reputation as a model minority, needed to learn. When other Japanese-Americans advocated channeling redress money into a foundation to support good works, Hohri argued that Japanese-Americans deserved individual payments to compensate them for their suffering. He added—to the outrage of some—that he planned to spend his redress money on a Jaguar.

Hohri once made news when he advocated at a congressional hearing that the government pay internees \$1,000 for each day they were in detention, for an estimated total of \$100 billion. He denounced the commission hearings, calling then a forum that would force

internment victims not only to relive painful experiences but to beg for the redress that was rightfully theirs.

Hohri's lawsuit has been before three federal courts and the Supreme Court on procedural matters; now it will never be tried on its merits. Last May, the federal appeals court dismissed the suit on the grounds that the statute of limitations had expired: it argued that Japanese-Americans waited too long after the war to file claims for loss of property and civil rights. On October 31, the Supreme Court decided to uphold the federal court's ruling. Hohri's long legal battle is finished.

Internment Not Justified

In less than 10 years, the Japanese-American redress movement has helped to blow up the claim that has persisted for decades: that internment was justified by military necessity. It has helped to remove this internment's stigma from Japanese-Americans. Still, Hohri's class-action lawsuit has not been the only effort to right the wrongs done to Japanese-Americans during World War II. Two other branches of the movement sought redress, one through the courts and the other through Congress.

One branch, led by Irons and a team of Japanese-American attorneys, sought in the early 80s to void the convictions of three Japanese-Americans during World War II for challenging military orders relating to the internment. Their case was based in large part on archival research done by Irons and redress activist Aiko Herzig-Yoshinaga.

They found evidence that War Department officials knew, from investigations by the FBI and FCC, that there were no confirmed instances of Japanese-Americans signaling to the enemy from the west coast during the war, which was one of the stated justifications for the internment. Herzig-Yoshinaga unearthed a suppressed government report that indicated that the west coast military commander was motivated not by "military necessity" but by racist stereotypes about Japanese-American in ordering their evacuation from the west coast. (Attorneys for the Justice Department argued that there was no suppression of the

report and that the "military necessity" claim was legitimate.) Irons found other evidence that War Department officials withheld from the Justice Department information on the real motivation for the evacuation, which affected the Supreme Court decisions issued between 1943 and 1944 in the three cases. Between 1984 and 1987, federal courts voided all three convictions.

Another branch of the movement was dominated by the JAAC, which backed the congressional commission on the internment and later supported redress legislation. The commission put redress in the national spotlight through some dramatic and emotional testimony from internment survivors and officials from Roosevelt's administration. (Hohri, who changed his mind about the commission when he saw how effective it was, includes in his book many highlights of the testimony.) The report that the commission issued in 1982 gave an official stamp to the view that racism, not military necessity, was behind the internment. After the commission issued its recommendations, the national JAAC threw its weight behind redress legislation, lobbying hard for the passage of various bills introduced in Congress.

Redress Legislation Passed

All three branches of the US Government — the judicial, of course is Hohri's — gave momentum to the redress legislation introduced into the 100th Congress, the 1987-1988 session. The bills passed by substantial margins in the House and Senate, winning support from congressmen who had called earlier bills too expensive or had questioned the appropriateness of redress payments before.

By the time President Reagan received the legislation last August, support was sufficiently widespread and bipartisan that a self-proclaimed fiscal conservative could sign it. (Some observers point out that George Bush's promise of support for the bill in June, just before the presidential primary—in California, where many Japanese-Americans live—encouraged Reagan's action.)

Victimized by a system that treated



him as a less-than-equal member of American society, Hohri went on to assert his equality under the law and to urge other Japanese-Americans to do the same. Hohri's principal contribution has been his courage in advocating redress payments when JAAC leaders and Japanese-American members of Congress deemed them politically unrealistic. Like other social movements, this one was assisted by a militant vanguard, headed by Hohri.

But how did he find the time? Hohri, who works as a computer-programming consultant for the United Food and Commercial Workers Union, has not had a real vacation since 1979. He has used his vacation time to attend congressional and court hearings. When I asked him how he felt about the Supreme Court's decision, he said, "I'm disappointed because the decision was faceless. I think they could have explained why they rejected the case. In turning this down, they basically upheld the wartime decision of the court that the internment was legal."

He adds, however, that he thinks Japanese-Americans have matured as a result of the suit and of the redress movement, that both have sharpened Japanese-American participation in the political and legal process. He says, "I don't regret the time and effort I've spent." ■