

# National Council for Japanese American Redress

1428 West Thorndale, Chicago, Illinois 60660

Dear Friends,

This is an appeal for justice -- long overdue.

On December 7, 1941, my family heard about Pearl Harbor after we returned home from church in North Hollywood, California. In the evening, two men from the FBI came and took away my father, Daisuke Hohri. He was pastor of our tiny Christian congregation. Apparently, the law provides for the apprehension and imprisonment of "dangerous" enemy aliens in time of war.

Four months later, the remaining members of our family, along with thousands of others of Japanese ancestry, were taken to a desolate site, a barbed wire and guard tower enclave dubbed "Manzanar." In the ensuing weeks the entire Japanese-American west coast population was expelled and imprisoned.

Our removal was accomplished under a presidential order. The order was carefully crafted to sound Constitutional, but was, as history reveals, racist in its intent and execution. Moreover, there was no basis in the order for our sustained detention in concentration camps. Indeed, the legal standards applied to American citizens of Japanese ancestry were inferior to those covering "dangerous" enemy aliens. Their detention was based in the law; ours was not. They received a hearing; we did not. They were covered by the Geneva Convention; we worked for five cents an hour, a rate far below the Geneva requirement.

Compensation to victims of such a miscarriage of justice is enunciated as a fundamental human right in Article 10 of the American Convention on Human Rights, to which our nation is a signatory:

"Every person has the right to be compensated in accordance with the law in the event he has been sentenced by a final judgment through a miscarriage of justice."

This principle of compensation is firmly embedded in our American practice of law.

We, the National Council for Japanese American Redress, have been actively seeking compensatory redress since May, 1979. We proposed, supported, and worked towards the passage of redress legislation, a bill introduced by Rep. Mike Lowry. We testified in both Senate and House hearings. We lobbied vigorously in Washington and within the Japanese-American communities and with religious and civil rights groups. Our bill, designed simply to compensate the victims, lost in the political arena of Capitol Hill to pallid legislation which would merely study the issue. So instead of redress, we now have the Commission on Wartime Relocation and Internment of Civilians.

The purpose of the Commission is to "determine whether any wrong was committed."

Whether any wrong was committed?

The Commission is the creature of the Japanese-American congressional bloc and the Japanese American Citizens League. The Commission is to hold hearings in cities containing major Japanese-American population in order to hear their stories.

On the surface, this seems commendable. Who would know better than the victims? But the facts are that the injustice was planned and executed by officials in the government. Most of the victims know very little about this. In the past few months, we have been plowing through thousands of pages of documents in the National Archives. They reveal a deliberate pattern of governmental action to exclude and incarcerate only the Japanese-American population, even though, of course, we were at war with Germany and Italy as well.

The presidential order was devised to be Constitutionally proper -- i.e., non-racial -- in its language. It states exclusion to apply to "any and all persons." But the documents reveal that once the Army excluded everyone, it would then allow all but the "Japs" to return. A neat trick. It was clever enough to be accepted by a majority opinion of the Supreme Court.

But when an over-zealous Army began to use the same order to exclude individuals of Italian and German ancestry, the true character of the order appeared. As of August, 1943, 258 such cases of individual exclusion had occurred. The treatment differed radically. Each had a hearing, a choice of three sites for relocation at the government's expense, no detention, and the relocation of families at their option. When a few violated their exclusion order and returned home, nothing happened! The Justice Dept. refused to arrest and prosecute them because the procedure had violated their Constitutional rights!

Whether any wrong was committed!

The National Council has been the only organized voice of opposition to the Commission. But we have not ignored it. We mounted a campaign to have responsible, courageous, and independent persons appointed as commissioners. There are powerful influences to limit its activity to public relations and public education and its recommendations to a token symbol of public apology. The possibility is remote that the Commission will conduct a proper investigation and produce important recommendations for congressional action. Moreover, whatever issues forth must still be proposed and passed by Congress, where the prospects for justice are dim, indeed. So, we must continue with our own initiatives.

Therefore, we have decided to undertake the filing of an historic class action lawsuit against the United States to seek compensation for all the victims.

We recognize that we have serious legal obstacles to overcome in the statute of limitations and in prior Court decisions. We have secured a commitment from an excellent law firm in Washington, DC to initiate our suit. Their plan is to spend about a year in preparation in doing legal research and legislative work. For this effort we have agreed on a fee of \$75,000. Since the suit is on our behalf, we believe it is fitting and proper that

we, the victims, act to support it with our dollars. Also, we urge all Americans of conscience to join with us.

We want to start as soon as possible. Our target is March, 1981. Once we start, we want to finish. So we've decided to start only after raising \$30,000. We would then have a year to raise the remaining \$45,000. We're off to a good start. But this is the tough part. Your support now is urgently needed.

When Mitsuye Endo filed for a writ of habeas corpus (due process of law) in July, 1942, the reaction by a key government official was:

"I'm surprised they haven't got one out before."

The government's response to Miss Endo was massive. They had two legislative proposals. One was to strip us of our American citizenship. The other, to suspend the writ of habeas corpus. The over-kill clearly intended to keep us locked up. These belie the official rationale for our detention, which was that the free society was too hostile towards us. (The legislation was never submitted; it took 29 months for her release.)

Why were we -- both victims and friends -- so silent?

Will we -- both victims and friends -- continue to be silent?

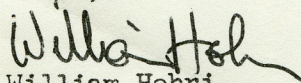
This is the real issue we face. There are many legal technicalities and difficulties. We have a law firm who will make these their concern. There are significant risks involved. There is no guarantee we will win or even get into Court. But we have accepted risks before. Our problem is one of will. Do we have the will to make the personal commitment to act on our own behalf and on behalf of justice for America?

I am convinced that the history of this moment lies within each of us. If we respond, we can make it happen. We may win or we may lose. But we will certainly have told America that we were wronged and that that wrong demands redress.

If, on the other hand, we remain silent, I'm afraid there is no one else to do it for us.

So, act now. Make your pledge today -- for justice!

Peace,



William Hohri,  
chairperson

P.S. If you've already pledged, why not send this appeal to a friend?

Making a Pledge.

Please fill out the form and use the enclosed envelope to mail your pledge to us. We are in the process of establishing a Redress Legal Fund with a major Protestant denomination. We expect that Fund to enable your contribution to be tax-deductible. Also, we want to make sure that we do raise enough initially to see our way through to the end. We will notify those who do pledge as soon as a decision is made, one way or the other.

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mail to: National Council for Japanese American Redress  
1428 West Thorndale  
Chicago, IL 60660

Please accept my pledge and my vote to proceed:

\_\_\_ \$1,000 as one of the Forty-seven Ronin.\*

\_\_\_ \$100 and my hope that hundreds more will do the same.

\_\_\_ \$ \_\_\_\_\_ and my very best wishes for success.

Name: -----

Street: -----

City: ----- State: \_\_\_ Zip: -----

\*The Forty-seven Ronin, in a famous Japanese story, obtained justice through their self-sacrifice. We have five so far. Only forty-two to go.