



National Council
for Japanese American Redress

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Statement

of

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On behalf of the

NATIONAL COUNCIL FOR JAPANESE AMERICAN REDRESS

Before the

COMMISSION ON WARTIME RELOCATION AND

INTERNMENT OF CIVILIANS

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Washington, D. C.

Madam Chairperson and Members of the Commission:

I am William Hohri of Chicago, Illinois, Chairperson of the National Council for Japanese American Redress. I was interned at the age of fifteen. My family and I were incarcerated at Manzanar, California during the period from April 3, 1942 to August 25, 1945.

NCJAR was founded in May, 1979 for the sole purpose of obtaining monetary redress for Japanese American victims of World War II concentration camps. We seek compensation for injuries and damages suffered by the evacuees, the detainees, and the internees, or their heirs. We want reparations for the deprivation of our civil and constitutional rights; for wrongful evacuation, detention, and imprisonment and the suspension of due process; for our loss of income, property, and education; for the degradation of internment and evacuation and for the psychological, social, and cultural damage inflicted by our government.

NCJAR's goal of redress was late in coming but is shared by thousands who were themselves incarcerated or who are children of those incarcerated.

In the 96th Congress the NCJAR sought enactment of legislation to provide such redress. We supported H.R.5977 sponsored by Representative Mike Lowry of Washington State and co-sponsored by 20 other members of the House of Representatives. Instead of redress legislation this Commission was established in what, in my judgment, was an act of political expediency. We believed that the further study of this matter would serve only to delay justice long overdue, justice already denied through delay to most of our parents who have died. We were opposed to the creation of this Commission because we were offended by the idea of victims of the internment having to testify in public to describe their ordeal. It seemed to us that such a procedure would impose a further humiliation -- publicly forcing us to relive a cruel degradation, an exhibition which would be upsetting and distasteful. We have been exploited enough.

It is inconceivable that any other group of Americans could have had their civil and constitutional rights so massively abused by being placed under armed guard and behind barbed wire without due process. The Nuremberg trials dealt with such injustice.

It is inconceivable that any other group of Americans, during such an ordeal, would have volunteered for military combat and engaged in legendary acts of sacrifice and heroism to prove their worth and our worth as citizens. I do not in any way denigrate the exploits of the Hawaiian 100th or the 442nd Regimental Combat Team. They had a point to prove and they did it bravely and with honor. But frankly, it is not appropriate to make continued references to their bravery as though it were necessary for our being accepted as full citizens. We are all citizens by reason of birth and by law, not by the blood sacrificed by our brothers on the battlefield.

It is inconceivable that any other group of Americans, in the aftermath of World War II, would accept reimbursement of only nine percent of their property losses as just or other symbolic tokens of restitution, such as the rescission of Executive Order 9066, as correction of the orders compelling evacuation and incarceration.

The formation of this Commission was seen as merely another token, a mechanism for an official apology or for providing educational benefits. As such, it was an affront to our dignity as citizens; an affront to the terms of our freedom as spelled out in the Constitution; an affront to our great tradition of equal justice before the law. For these reasons, we were skeptical, perhaps cynical, of a Commission which is mandated to study the subject and make recommendations. The Commission, in its defeat of the Lowry Redress Bill, became the answer to our legislative demand for redress.

So now, the National Council for Japanese American Redress is undertaking to institute legal proceedings to obtain redress. While we know that substantial obstacles lie in our way, we also believe that the full record of the federal government's action has not yet been disclosed to a court of law.

I realize that whatever the reasons which led to its creation, the Commission now has its own agenda. You are capable of making your own observations, doing your own study, and arriving at independent conclusions. We are here today to submit some proposals for your consideration. Here are three of them:

1. As you travel and listen to our Japanese American communities, please encourage testimony from the dissidents from the internment period, both Japanese and non-Japanese. Listen to the people who fought the government and its injustices, and were crushed. Perhaps the most outstanding example of this resistance was Joe Kurihara, who died about ten years ago in Japan.

Joe Kurihara was a WWI veteran, a citizen, and a proudly patriotic American. He witnessed the inhumane, 48-hour evacuation of Terminal Island by the Navy, and was deeply disturbed. He was prepared to join the fight against the exclusion order, and was angered when he learned that the JACL, instead of fighting for its people, was urging co-operation. As he said, "The goose was cooked." He became pro-Japan. But it was with a Kuriharan twist. He proclaimed he was going to Japan "with democracy my goal." His fate was sealed when he was arrested, with fifteen others, in the wake of the Manzanar uprising on December 6, 1942. For these Manzanar Sixteen, there were no charges specified, no trial or hearing granted. He eventually went to Tule Lake and was on the first boat to Japan as a renunciant of his battle-proved citizenship.

Disloyals were cited in high places, including the Supreme Court, as justification for the massive denial of our rights. But consider the reason for the acts which were interpreted as disloyal. Is not anger at such foul injustice a legitimate, nay, a welcomed human emotion and response? When the question of loyalty was couched in terms of our yielding unqualified allegiance to a government which had demonstrated a capacity for injustice, was it not the best and deepest human instinct to say "No?" And why did we have to prove our loyalty by affirming our willingness to serve in armed combat? Is that the only measure of a citizen's loyalty?

Though Joe Kurihara is gone, there are others in this group who are still active. There are others in the Manzanar Sixteen. There are still members of the Heart Mountain Draft Resistance, young men then who refused induction as long as they were behind barbed wire. All you have to do is ask.

2. As you listen to the victims, I think you are going to discover that by and large they have no idea what hit them. They have not read and absorbed some of the excellent books written, most notably Michi Weglyn's Years of Infamy and Roger Daniels' The Decision to Relocate the Japanese Americans. The former internees have not plowed through the documents in the files of our government and of our former officials. They are not aware of the careful premeditation that went into the construction of Executive Order 9066 which led to the government's contention that the concentration camps were not racially motivated. They only know that all the faces in their camps were Japanese.

Nor do the victims realize that their compensation for labor at six to eight cents an hour fell far below the Geneva requirement for prisoners of war. They only know that it wasn't much, that it did not allow for much improvement in their bleak, spartan existence.

And they are completely oblivious to the deeper, far more serious machinations of the War Department, which actually proposed legislation for the suspension of the writ of habeas corpus and legislation to cancel -- if that is the proper term -- our citizenship.

They only know that they were held in desolate enclaves, surrounded by barbed wire and guard towers, which no less a person than President Roosevelt called "concentration camps" in his press conferences of October 20, 1942 and November 21, 1944.

Nor was this the first time that term was used. In a Memorandum for President Roosevelt, the Secretary of the Navy suggested that one step to impress the Japanese with the seriousness of American preparations for war would be:

"12. Prepare plans for concentration camps (Army-Justice)."

This memorandum for the President is dated October 9, 1940. That's 1940, fourteen months before Pearl Harbor. A copy of the memorandum is appended to this statement.

The information that is truly germane to an understanding of this issue lies buried, but available, in the files of our government. The National Council for Japanese American Redress has uncovered literally thousands of pages of such documents. It has been a labor of love, mixed with sorrow and anger, performed voluntarily and with our own funds.

Much pertinent intra-governmental correspondence, memoranda, analyses, telephone conversations and so forth, such as the October, 1940 memorandum, have come to light. They substantiate a record of unconstitutional and immoral government action. A comprehensive, authoritative governmental report documenting the government's malfeasance may serve to prevent the recurrence of a similar national travesty.

You will not be able to do all the research necessary in the limited time you have. But you can certainly get some understanding of what still lies buried in those thousands of documents. You can consider those materials in your final report and recommendations. We will seek to provide such assistance as the Commission or its staff requests. We pledge NCJAR's co-operation in your efforts.

3. The National Council for Japanese American Redress has embarked upon the task of finding a legal remedy. We are quite serious in our intent of suing the United States. But as you are aware, we face significant obstacles in court.

The question we ask you to consider is this:

Will this Commission be willing to recommend a mechanism which will enable a fair adjudication of the case for compensating the class of Japanese American internment victims? The historic fact of mass evacuation and imprisonment motivated by racial bigotry was a flagrant breach of American principles of equal justice. While the fact cannot be excised from history, remedies can be devised to compensate the victims, and help restore the democratic ideal in our society.

I am not a lawyer, so I will not attempt to enthrall you with legal arguments. But let me simply point out that, on the one hand, we have an extreme, an extraordinary deprivation of civil and constitutional rights on a massive scale. Does it not require, then, an extraordinary measure to permit the injustice to be remedied?

Ultimately, justice is due all of us, all the citizens of a democratic society. We have written and amended our own Constitution. We have enacted our own laws. By and large, we obey these laws. And when we do not, or when contentions occur, we act, often as a jury, to determine the issue on the basis of hearing the facts and applying the law.

Clearly, we Japanese Americans have not had our day in court. That, in a sentence, is the essence of this issue. Given the wisdom of our democratic system of self-government, is it not possible to find the means which will enable us to have, at long last, our day in court?

Thank you.