



National Council for Japanese American Redress

925 West Diversey Parkway
Chicago, Illinois 60614
January, 1984

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Dear Friends,

December in Chicago was the coldest December ever. It reached twenty-five below and stayed below zero for several days. A year ago, it was in the sixties. But the movement for redress kept moving. Our attorneys received an order from Judge Oberdorfer asking for further explanations for waiving the statutes of limitations on the NCJAR lawsuit. You will recall that in response to our filing our lawsuit on March 16, 1983 -- almost a year ago! -- the Department of Justice moved to have the court dismiss our complaint. Among the main reasons for dismissal were statutes of limitations. (When an injury, contention, or crime occurs, the parties involved have a limited time in which to file their complaint. Most limitations expire in a few years.) Of course, the limitations are there for good reasons. They may be waived by the court provided substantially offsetting reasons are given. In our case, we argue that many documents supporting our complaint were only recently made available through the Freedom of Information Act, were only recently declassified from their confidential, secret, or top secret status, and were only recently unearthed from the billions of documents in the National Archives and elsewhere.

However, Judge Oberdorfer has found some of the documents disclosed in books such as Prejudice, War and the Constitution, and Years of Infamy. This, of course, is true. But there still remain a significant number that are only recently available. There are also other reasons why a lawsuit like ours could not have been filed earlier, such as the intimidation of mass exclusion and detention and the urgencies of re-establishing our lives in the post-detention period. We have until January 20, 1984 to file our supplemental explanations.

The action of the court can be seen as both bad and good. One always worries when flaws are detected in one's arguments. The legal process, I am learning, is adversarial. Both sides argue with vigor and conviction. The process is exactly opposite to the consensus-building that most of us are used to in our day-to-day lives. But once you see beyond the adversarial interchange -- of certitudes developing flaws -- there are positive signs in the court's action as well. The Judge has read some excellent resource material and is becoming acquainted with the factual history. (The power of the written word!) The factual history is on our side. The recent triumph of the Korematsu appeal for a writ of error coram nobis demonstrates the overwhelming weight of factual history. The learned and experienced former Supreme Court Justice, Arthur Goldberg,

you may recall, thought ill-advised the 1983 appeals of Korematsu, Yasui, and Hirabayashi. Despite this expert opinion, the Department of Justice simply could not gather the facts to mount a substantial defense. Our case is substantially different from the coram nobis appeals. But the weight of factual history is comparable.

This is a time of watching and waiting.

For those of you who want to do something besides watching and waiting, may we suggest that you consider asking your Member of Congress to introduce enabling legislation for our lawsuit? You may write to me for information. It is possible for the legislative branch of government, the United States Congress, to enact law which would waive the government's procedural defenses for our case as expressed in the government's motion to dismiss, and thereby enable our case to proceed to trial. We have material available for you to make this request of your Representative or Senator.

* * *

February 19th is coming around again. We are pleased to announce the 1984 commemoration of Executive Order 9066:

Redressing E.O. 9066: The Search for Justice.

We are honoring Jack and Aiko Herzig -- the unsung hero-heroine of the redress movement. The entire movement, including NCJAR, JAACL, and NCRR, owe the Herzigs more than they can know. Their monumental effort extracted tens of thousands of documents which supported the Commission on Wartime Relocation and Internment of Civilians as well as the twenty-two causes of action in the historic NCJAR class action lawsuit.

We are also extremely pleased to have Peter Irons join us in honoring them. Professor Irons is the author of Justice at War -- which recently received a glowing review in the New York Times by Harvard historian, Orville Schell. He is also the guiding light of the three, historic coram nobis appeals of Korematsu, Yasui, and Hirabayashi. It's at 2:00 p.m., Sunday the 19th of February at Heiwa Terrace, Chicago.

* * *

Book-writing is an adventure for me. Jeremy Mott, a Friend (as in Quaker) and a friend of my wife, Yuriko, and a friend of mine whom I have yet to meet in person, is serving as my informal editor. My most difficult chore is reading, accepting, and incorporating his numerous corrections and criticisms. I am learning how to write all over again. At least, that's how it feels. Jeremy's major suggestion -- an insistant demand, really -- was that I prepare a chronology of events as an aid for the uninitiated reader. Very sensible. It didn't seem such a difficult request to fulfill, until I began. All I had to do was get the facts and place them into a time sequence. But then I began to notice striking juxtapositions and obvious

themes. The themes are the role of the government, the military, the populace, the JACL, the internee resistance, the camps, and the legal and constitutional challenges. The juxtapositions are illuminating:

On July 20, 1942, Mitsuye Endo's appeal for freedom under the writ of habeas corpus is heard before Judge Roche in San Francisco. Roche will take almost one year before rendering his decision. But only days later, in August, 1942, 19 Nisei from a contingent of 172 Hawaiian Japanese who are interned at Camp Livingston, Louisiana are returned to Hawaii -- probably because they availed themselves of the writ of habeas corpus which was available in the United States but not under Hawaii's martial law.

On June 2, 1944, the 442nd Regimental Combat Team lands at Naples, Italy. Ten days later, in Cheyenne, Wyoming, the trial of 63 Heart Mountain draft resisters begins. On June 26th, the resisters, who argued that they only wanted to be free before they would accept the draft, are found guilty and sentenced to three years in prison. Four days later, the first camp at Jerome, Arkansas is closed.

* * *

While speaking of book-writing, William Morrow and Company has stopped printing Michi Weglyn's Years of Infamy. We do have a few copies left. If you want one, order it now! Better yet, if you want Morrow to continue printing the book, write to:

Howard Cady
William Morrow and Company
105 Madison
New York, N.Y. 10016

and say so.

* * *

We have another ronin. Mr. Naomi Kashiwabara of San Diego recently became a ronin through the generosity of our mutual friend in Hawaii, Mr. Henry Masuda. Naomi, who has failing eyesight, reads our newsletter carefully and records and reports to us the errors we make. We also continue to receive contributions from around the country for which we, NCJAR, are deeply grateful.

Peace,

William Hohri

William Hohri

The following
(edited) story
was written
by Susan Yim
for the
Honolulu
Star-Bulletin,
September 19, 1983.



KILAUEA MILITARY DETENTION CAMP

chronicled . . .

ONE OF THE FIRST entries in George Hoshida's journal in the late summer of 1942, in Lordsburg, N.M. was: "The thermometer registered 38 degrees this morning. It's getting colder steadily. It is said that it gets below zero during winter and that it will snow hard. I'll have a new experience in seeing and feeling the snow."

Other entries followed that chronicled his life in an internment camp, and in wind-swept barracks two miles from a railroad junction in which 3,000 internees lived behind barbed wire. In the beginning Hoshida wrote steadily, then intermittently, but he never stopped drawing.

The sketching began soon after he was arrested in February 1942. Hoshida was one of 120,000 Japanese Americans and Japanese aliens evacuated to internment camps on the Mainland. He was born in Japan in 1907, and moved with his parents to Hawaii when he was 5. He was working in Hilo when Pearl Harbor was attacked. At that time, Hoshida had spent eleven years with Hilo Electric Company, had married and was raising three daughters. He was also active in the community as president of the United Young Buddhist Association of Hilo and the Big Island Hongwanji Judo Association. Hoshida was among 2,000 local Japanese who were rounded up. A number of them were aliens and leaders in the Japanese community.

HIS DRAWINGS began at the Volcano Military Camp (see above) at Kilauea on the Big Island, where Hoshida was first taken.

Abers, Oakland, 6/4/42, 7 p.m. is written beneath a sketch of the railroad station where Hoshida and others were detained immediately after their arrival from Hawaii. Then there were drawings of landscapes seen from the train that carried Hoshida to New Mexico.

WHILE IN CAMP, Hoshida became a kind of photographer with pen and ink. The most interesting and poignant pictures he drew were the loneliness of the internees themselves, such as a man curled up sleeping on his bunk. The men interned in Lordsburg when arrested, were separated from their families.

It was in the winter of 1943, in Jerome, Arkansas that Hoshida was reunited with his family. His sketches then were of his wife sewing or feeding his daughter, and of New Year's celebrations and "mochi" pounding. He also taught art to the internees. Hoshida's interest in drawing began as a teen-ager. Unable to go to art school, he took correspondence courses.

When the war ended, the Hoshidas were living in another camp in Gila, Arizona. Hoshida was chief cook there. "I was the last one to leave the place because I had to feed everyone, clean up and then run to the bus."

The Hoshidas returned to Hilo, then moved to Los Angeles where George worked for the Municipal Court. After he was widowed, Hoshida returned to Honolulu, remarried and retired.

TODAY, his journal in pictures are laminated and filed in three-ring binders. The portraits he did of fellow internees show, as a photographer would, the way they aged during their internment. The drawings have been shared at reunions with Islanders who were in Jerome. And a few years ago, Hoshida showed his work to a University of Hawaii ethnic studies class and talked about his camp experience.

r e d r e s s . . .

MY POSITION along with that of many others is that money is the language that is essential in our effort to seek justice and equality. The whole judicial system in the Anglo Tradition, of which the United States is a part, is based on monetary compensation for damages incurred, whether it be in the way of property loss, reputation damaged, health endangered or lives lost. Consequently, the U.S. government insisted that West Germany compensate in part the Jewish survivors of concentration camps with money. The imposition of economic cost has a better chance of making public impact than mere words, no matter how sincere they may sound.

ANGLO DOMINATED U.S. society does respect monetary language of sizable quantity. There is no self-deception here that lives injured or opportunities lost can ever be regained. No one is trying to undo the past, which is impossible, but the future course of action can be determined by the impact that monetary transaction might make.

The money is the principle and the principle is tied to a significant amount of money per individual who suffered injustice—certainly not just \$100, as some have suggested, for several years of incarceration unnecessarily forced upon individuals without due process. Rev. S. Michael Yasutake

Rev. Yasutake's complete text appeared in the September Chicago JACler newsletter.

v i c t i m s . . .

OTTAWA, Canada—Elderly Japanese Canadians are victims of "bureaucratic racism" and are dying prematurely because there are no homes to cater their special needs, Joy Kogawa charged on December 8, 1983.

Kogawa, author of OBASAN, told delegates to the Canadian Caucus on Human Rights that the plight of the Japanese Canadian Issei is a national disgrace.

"One by one, I have heard graphic and horrible stories of Issei in white nursing homes, who, unable to adjust to the radically different diets, die within days or an average of a month or two," Kogawa said. "Facilities and assistance are desperately needed, but not one Japanese Canadian nursing home or hospital exists across this entire country.

"What does this speak of? It speaks of a people who are weak, separated, broken and have not been able to unite on this most crucial need."

Kogawa charged that the Japanese Canadian community is weak and scattered as a result of internment during the Second World War. The property of the 22,000 Japanese Canadians who were interned was confiscated and full recompense was never given by the government.

While some Japanese Canadians want to press the government for restitution, others are hesitant to reopen old wounds and attempts by the National Association of Japanese Canadians to reach a consensus have so far failed.

MANY AMONG the proponents of redress have said that the government should provide funds for the construction of homes for the elderly and human rights education projects rather than recompense to those who were interned and lost their property.

The federal government has refused to commit itself to paying compensation until consensus is reached within the Japanese Canadian community.

Kogawa said the government should not expect the Japanese Canadian community to speak with one voice when it was the federal government of the 1940s that was responsible for scattering Japanese Canadians across the land "demanding that they never speak as a people or with a united voice."

"Speaking as a Canadian, I am embarrassed by my country's bureaucratic racism at home and its condemnation of racism in other countries, its failure to name its many crimes against Japanese Canadians in the past or to face its wrongs in the present."

(Edited) RAFU SHIMPO December 13, 1983

For our reader's interested in the Japanese Canadian redress movement, the Sodan Kai has come out with their newsletter RedressNews. It is available at a yearly rate of \$5.00 (which helps cover printing and mailing costs). Back issues, beginning with the October RedressNews may be obtained by writing to:

RedressNews
554 Broadway Avenue
Toronto, Ontario
M4G 2S1

The internment of Japanese Americans during World War II has been called "the greatest deprivation of civil liberties by government in this country since slavery." How did it happen? JUSTICE AT WAR reveals how some of the most important individuals of their day swallowed their moral scruples and compromised easier legal principles--including suppressing evidence--as they helped President Roosevelt's Executive Order 9066.

Oxford University Press
New York

To order Peter Iron's book, check listing below.



Available through NCJAR

Quantity

All prices include postage

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Edited by Sue Kunitomi Embrey</p> <p>—CITIZEN 13660 by Mine Okubo \$10.00</p> | <p>—T-SHIRTS: 100% cotton blue · yellow · tan (small · medium · large extra large) with NCJAR logo \$8.00</p> <p>—Buttons: 1-7/16" round and yellow with NCJAR logo .50</p> <p>—BRIEFCASE: 11½" x 14½" in taupe vinyl \$7.00</p> <p>—NCJAR COMPLAINT: This 43 page copy clearly defines our injury and it is written in layman's language. \$3.00</p> |
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MS SASHA

HOHRI

Our plea is for your continued support.

- \$1,000 as one of our ronin.
- \$500 as a measure of my committment.
- \$100 and my hope that hundreds more will do the same.
- \$___ and my very best wishes for success.

(All contributors will receive our newsletter.)

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