“Do it for your grandchildren”

A Missed Opportunity: the Legacy of the Redress Movement’s Divide

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On December 7th, 1941, the Empire of Japan attacked Pearl Harbor, an act which resulted in the death of 2,335 Navy Servicemen and 55 civilians. These immediate casualties became a rallying point for the United States entry into the Pacific Theater and World War II. However, the 2,335 Navy serviceman and 55 American civilians were not the only casualties of that day. Shortly after the attack in Pearl Harbor, two-thousand Japanese Americans were rounded up and incarcerated under suspicion of being possible Japanese sympathizers.¹ They were followed within the next few weeks by around 120,000 others, only because their lineage traced back to the enemy. These citizens and their families would remain incarcerated until 1946, when the relocation camps were officially closed.² From the camps they emerged fundamentally changed, becoming silent about their experiences. The culture of silence that followed was so prevalent that many of their children knew little to nothing about incarceration and internment.³ They felt that this silence was necessary in order to protect their children and their grandchildren from the shame of what had happened.⁴ Yet, as the memory of internment slowly crept back into the community, it birthed what we come to call today the Japanese Redress Movement; this protective nature toward their children later compelled around 750 Japanese Americans to testify about their experiences.⁵

The goals of the Redress movement included: A quest to absolve themselves of the accusations made against them during the war, an attempt to gain monetary reparations for


³ Mitchell, Kitano, and Berthold, *Achieving the Impossible Dream*, 57.

⁴ Lillian Nakano Interview Segment 16, interview by Megan Asaka, July 8, 2009, Densho Visual History Collection Densho, (N-Z), Densho.

⁵ Mitchell, Kitano, and Berthold, *Achieving the Impossible Dream*, 99, 106.
economic damages as a result of internment, the desire to obtain a formal apology from the US government; and protection from something like internment ever happening again (to anyone). There were two main ways that the Redress movement hoped to achieve these goals: One was through the legal court system, and the other was through Congress. On July 31st, 1980, President Jimmy Carter signed into existence the Commission on Wartime Relocation and Internment of Civilians. The purpose of the Commission was to investigate the legality of the Japanese American community’s internment during World War II. In 1983, the Commission published its findings and recommendations; which came out in support of Redress. Finally, five years later, the Civil Liberties Act (CLA) was signed by Ronald Reagan after passing through congress with considerable support, granting reparations and promising a formal apology for internment.

The lawsuit, backed by the National Council for Japanese American Redress (NCJAR), Hohri vs the United States, represented the single most important goal of the entire movement: Challenging internment and making sure it could never happen again. Hohri vs the United States came close, managing to work its way up to the Supreme Court in 1987.\footnote{Pacific Citizen, Vol. 104, No. 22 (June 5, 1987), Densho, Pacific Citizen 1987 Collection, 1.} However shortly after the passage of the CLA, the lawsuit was dismissed on the technicality that Redress had already been granted.\footnote{Hatamiya, \textit{Righting a wrong}, 177.} With the passage of the CLA it was generally believed that the movement had achieved its goal, yet the CLA never addressed the legality of internment. The act stated that it had seven purposes: To acknowledge that an injustice had occurred, to apologize and give reparations to both the Japanese Americans and the Aleut people of Alaska, to provide funds for a public education program that would educate individuals about internment; so it would not
happen again, to discourage similar acts in the future, and to make more credible any concern the US had about civil rights abuses in other countries. None of these overturned the premise that internment was legal, but that the internment of the Japanese had been unwarranted. The education fund was the only thing that came close to being a preventative measure against future incidents. This missed opportunity has left a legal loophole, which looms on the periphery of American politics: One which has the ability to affect future generations the Redress movement had sought to protect. The origins of this split tracing back to the schism between the National Council for Japanese American Redress and the Japanese Americans Citizens League (JACL). This paper seeks to explain this split, and the legacy it has left in its wake.

Scholars of the Redress movement have focused on studying how the movement achieved monetary reparations and an apology, yet have not delved deeper into the story of the NCJAR and its relationship with the JACL. Furthermore, scholars have not addressed the fact that while an apology was made and money given to the survivors; internment was never fully and explicitly challenged. Only in William Hohri’s book written in 1988, Repairing America, have the actual hearings of the CWRIC been carefully examined for dialogue. William Hohri was himself a survivor of the Manzanar internment camp, thus his personal passions at times clouded his critical analysis.

The most important piece of literature on the topic of the NCJAR and legal Redress is Born in Seattle. Written by Robert Sadamu Shimabukuro and published in 2001, Born In Seattle is a history of the Seattle community’s participation in Redress. Using interviews with former internees and Redress participants, Shimabukuro weaves together the history of the activities of...

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the Seattle Redress movement over a period of twenty years. Shimabukuro’s main focus is on the Seattle Evacuation Redress Committee; a group of individuals who laid the groundwork for the CLA, and went on afterwards to form the NCJAR with William Hohri. Shimabukuro also touches routinely on the frustrations the Seattle branch of the JACL had with the main leadership.\footnote{Robert Sudamu Shimabukuro, \textit{Born in Seattle: the campaign for Japanese American Redress}, Seattle: (University of Washington Press, 2001), 59.} While it does not focus on the broader movement specifically; it explains the origins of the JACL, NCJAR split.

Written by Mitchell T. Maki, Harry H. L. Kitano, and S. Megan Berthold, \textit{Achieving the Impossible Dream} (1999); is an essential piece of scholarship that shows up in the bibliographies of nearly all the works on Redress that followed. The book provides a broad and comprehensive look at the entire reparations movement, including the NCJAR’s lawsuit. It argues that the success of the Redress movement was due to a well-organized and long education campaign by the Japanese American Community. The other prominent and foundational work on Redress is \textit{Righting a Wrong: Japanese Americans and the Passage of the Civil Liberties Act of 1988} (1993), by Leslie T Hatamiya. This book also argues that the success of the Redress movement was due to the educational aspect of Redress: It explains the success by stating it was only due to a perfect storm of forces coalescing into the right circumstances; that allowed for an amiable congress. \textit{Righting A Wrong} goes about proving this by analyzing the way Congress works, while examining the history of what was going on in and around congress from 1983-1988. The book is not only important in understanding the political forces that allowed for Redress to be achieved, but is one of the most organized chronological histories of the movement. Additionally, by examining the legislative aspect of Redress, Hatamiya was forced to examine
the NCJAR and the lawsuit more thoroughly than later works; due to its possible impact on the decisions of Congress in passing the CLA (Civil Liberties Act).

“What’s Next? Japanese American Redress and African American Reparations” by Eric K. Yamamoto (1999), discusses the legacy of the Japanese American Redress movement, the ramifications of gaining reparations and how Redress could affect future reparation movements. It is an important piece of scholarship because it both examines the movement’s legacy, while connecting it to the struggle for African-American efforts to gain reparations for slavery. Yamamoto touches on the argument between legal and legislative redress nicely, and offers a broader view of post Japanese Redress theory.

“Destructive Force: Aiko Herzig-Yoshinaga’s Gendered Labor in the Japanese American Redress Movement”, by Fujita-Rony and Thomas Y (2003), talks about one of the most important and influential members of both the Redress movement and the NCJAR: Aiko Herzig Yoshinaga. The article argues that without her work, the Redress movement would have failed. The article No longer a silent victim of history: repurposing the documents of Japanese American internment, written by Emiko Hastings in 2010, built upon “Destructive Force” and Achieving the Impossible Dream added to this narrative by examining how she found and repurposed primary documents on internment for the Redress movement’s use in both the legislative and legal pathways.

On Thursday July 16th 1981, William Hohri took the floor in front of the Commission on Wartime Relocation and Internment of Civilians to present his testimony. Hohri represented the National Council for Japanese American Redress, and would be the principal party in a

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10 Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, July-Nov, 1981; (National Archives Microfilm Publication M1293, roll 1); National Archives Building, Washington, DC, 266.
lawsuit; which sought to represent the entire population of formerly interned Japanese Americans. His testimony reflected the NCJAR’s distrust of the CWRIC, and the people who supported it.11

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 are 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.12

Hohri expressed the opinion that the Commissioners felt “the bite of my testimony.”13 Hohri was obviously proud of this, and points out that later he feels the Commissioners became defensive in response to his words.14 His testimony was intended to strike a nerve and allow him to give voice to the frustrations and distrust of those within the Japanese American community, who felt Redress was long overdue.

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 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.15

The division of the Japanese American Community into multiple sometimes intersecting groups can be traced back to the internment years. Originally, there was only one main group


14 Ibid.

15 *Testimony of William Hohri*, Densho, 6.
that represented the political interests of the Japanese American community: The Japanese American Citizens League.\textsuperscript{16} The JACL had been widely criticized during and after the internment years for its quick and complete cooperation with the American Government on the matter of relocation and internment.\textsuperscript{17} However, at the time, the JACL did not wish to have the community’s loyalty and citizenship questioned further than it already had been; their cooperation was, in their minds, one of necessity.\textsuperscript{18}

On the same day William Hohri testified, he was joined by Bert Nakano of the National Coalition for Redress/Reparations (NCRR) and Sasha Hohri of the Concerned Japanese Americans of New York. The JACL’s representatives were James Tsujimura, Minoru Yasui, and John Tateishi.\textsuperscript{19} These six individuals and the commissioners debated Redress briefly after the six had presented their respective testimonies. The Commissioners were particularly interested in William Hohri’s plan to take Redress through the courts, and how this would affect his cooperation with the Commission. When Commissioner Goldberg asked “Can you enlighten me to -- you must have thought a good deal about it -- what court under -- what guidelines -- have you thought about that?” Hohri had no concrete answers responding with a “No”.\textsuperscript{20} Commissioner Goldberg further asked what court Hohri had in mind, and Hohri responded that he was “not a lawyer and not qualified to answer that question.”\textsuperscript{21} Hohri did not just attend the

\textsuperscript{16} Mitchell, Kitano, and Berthold, \textit{Achieving the impossible dream}, 25.

\textsuperscript{17} Ibid, 35.

\textsuperscript{18} Hatamiya, \textit{Righting a wrong}, 15-16.

\textsuperscript{19} Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, 225.

\textsuperscript{20} Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, 297-298.

\textsuperscript{21} Ibid, 299.
hearing to state the NCJAR’s position on Redress however, he had also come to the Commission to ask for its help in overturning the statute of limitations which would be a significant roadblock in the way of their lawsuit. “It seemed to us that the alternative, which is also very, very difficult; was to seek restitution through the courts. And that’s all we’re doing and we’re simply asking for your help, and we are certainly willing to help with that.”\textsuperscript{22} The help he was offering was assistance in researching internment, and by the end of that day’s hearings; he had agreed to lend the NCJAR’s previous and future research to the Commission.\textsuperscript{23}

The JACL’s representatives did want to make sure that internment was not repeated, and to see justice done for the victims, however they voiced skepticism at the idea of taking Redress through the courts. When Commissioner Goldberg concluded that no court would “…say that the war power justified removal of American citizens by an executive order of the president.”\textsuperscript{24} Minoru Yasui responded. “Well Justice Goldberg, I certainly do not disagree with you. The problem is, I cannot conceive of another situation where this would arise again. Lord grant that it never happens again.”\textsuperscript{25} It is here that we see the differences between the JACL and the NCJAR and those organizations who intersected with them. Unlike the NCJAR, the JACL did not see a need for a court decision to challenge the concept of internment, or to overturn the prior convictions that had validated the act. This is further shown by what Yasui says next, “the Dred Scott decision was handed down by the Supreme Court in 1857, and it took constitutional amendments, the 13th, 14th and 15th amendments of the Constitution of the United States,  

\footnotesize {\textsuperscript{22} Ibid \textsuperscript{23} Ibid, 300-301. \textsuperscript{24} Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, 295. \textsuperscript{25} Ibid.}
before we reversed that kind of thing.”26 Yasui and the JACL preferred the Congressional path, seeing it as the only efficient way to possibly gain Redress or challenge Internment in any lasting capacity.

On the same the day of Hohri and the JACL’s testimony, a group of lawyers spoke to the Commission about possible avenues Japanese Americans had to achieve redress. The testimony of Dennis Hayashi, in particular, brought up the issue of the legality of Japanese Internment. Hayashi made a point to say that although “…there have been a number of legal comments on the incarcerations, we feel that it is important to re-examine and consolidate the constitutional issues for this Commission, because the Supreme Court decisions implicitly validating such exclusions and detentions have never been overruled.”27 Shortly after this statement Commissioner Goldberg interrupted Hayashi to point out that he should say “Explicitly Overruled.”28 Hayashi agreed to this, continuing on with his testimony. Both were correct; the three Coram Nobis cases of Gordon Hirabayashi, Fred Korematsu, and Minoru Yasui all overturned their convictions by the Supreme Court during internment, however, in all cases; the Supreme Court failed to address the legality of internment.29 Even the wartime case of Ex Parte Endo, the case of Mitsuye Endo, ended with the ruling that the government could not detain loyal citizens, yet did not explicitly challenge internment.30

26 Ibid.

27 Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, 326.

28 Ibid.

29 Mitchell, Kitano, and Berthold, Achieving the impossible dream, 128-136.

30 Hatamiya, Righting a wrong, 24.
The NCJAR was officially formed in May of 1979 in Seattle, Washington, by members of the Seattle chapter of the JACL, who disagreed with the way Redress was being handled.\textsuperscript{31} Among these members were Frank Abe, Henry Miyatake, Mike Nakata, Shosuke Sasaki, all members of the SERC with William Hohri at the NCJAR’s head.\textsuperscript{32} Frank Abe was a news reporter who had written stories about the Seattle Chapter of the JACL, and the Seattle Evacuation Redress Committee’s endeavors. Henry Miyatake was the leader, so to speak, of this group. Shosuke Sasaki and Mike Nakata were both part of the core activists within the SERC, and had helped Miyatake refine his writings. William Hohri lived in Chicago and had a long history of activism since his internment at the Manzanar. He and the Chicago Chapter of the JACL had all been outspoken in their criticisms against the Commission bill, and it was for this reason that the SERC saw him as the perfect candidate to lead the NCJAR.\textsuperscript{33}

The NCJAR began publishing stories on Japanese internment and Redress, and focused on the Lowry bill during the first few months. The group also found itself a supporter who would become instrumental in building their case against internment: Aiko Herzig Yoshinaga.\textsuperscript{34} Aiko was a former Manzanar internee, who through her archival research became one of the most influential members of the Redress movement.\textsuperscript{35} She became the main researcher for the CWRIC during its inquiry into internment, was a representative in Washington for the NCJAR, and was also the lead researcher for the NCJAR lawsuit.\textsuperscript{36} Herzig had never been formerly

\textsuperscript{31} Shimabukuro, \textit{Born in Seattle}, 59.
\textsuperscript{32} Ibid.
\textsuperscript{33} Ibid.
\textsuperscript{36} Hastings, "No longer a silent victim of history", 40.
trained in archival research, and her first expeditions into the archives were originally intended to be limited to her family’s history during internment.\textsuperscript{37} What she found interested her enough that she started logging around fifty hours a week in the archives, becoming very familiar with the wartime documents on internment in the process.\textsuperscript{38} Her research contributed to the overturning of the three aforementioned wartime Supreme Court convictions (Fred Korematsu, Minoru Yasui, and Gordon Hirabayashi.)\textsuperscript{39}

The split from the JACL was not sudden, Henry Miyatake and the SERC had campaigned to bring Redress into the forefront of the JACL’s agenda for nearly ten years, facing resistance in every meeting and conference they had.\textsuperscript{40} Resenting this, the SERC published a letter on November 19th, 1975 called “An Appeal for Action to Obtain Redress for the World War II Evacuation and Imprisonment of Japanese Americans”. The letter itself criticized the JACL, stating that if “Japanese Americans are as American as the J.A.C.L has often claimed, then they should act like Americans and make every effort to seek redress through legislation and the courts…”\textsuperscript{41} A year later, the same group published the Seattle Plan, a document that formed the basis of both the Lowry bill and the CLA. The plan called for individual reparations through the passage of legislation which would disperse payments.\textsuperscript{42} Later it also became the foundational plan that the CWRIC used in their recommendations to the government on the matter of

\textsuperscript{37} Fujita-Rony, and Thomas Y, "Destructive Force.", 38.
\textsuperscript{38} Hastings, "No longer a silent victim of history", 39.
\textsuperscript{39} Ibid, 25.
\textsuperscript{40} Shimabukuro, \textit{Born in Seattle}, 18-21.
Redress. Unfortunately, while the group was responsible for founding the NCJAR, and also supplying the groundwork for the Civil Liberties Act, the core members of the SERC dissipated away from the NCJAR shortly after the Lowry bill’s defeat; leaving Hohri as the head of the organization and only taking part in the future NCJAR activities in a limited capacity.44

Nevertheless, at the time of the appeal for action, no significant effort had been made by the JACL to pursue Redress, and it bred bitterness between the SERC and the JACL. It was a bitterness that was mutual, as shown by a letter sent to Henry Miyatake by John Tateishi from the National Coalition for Redress/Reparations, formed by the JACL. In the letter, sent on April 30th 1979, Tateishi criticizes comments made at the Manzanar pilgrimage in opposition to the NCRR and the JACL by Frank Abe who represented the Seattle “days of remembrance.” Tateishi asked Miyatake where he stood on this issue claiming that he cannot see how Miyatake could remain a member of the NCRR if he supported the days of remembrance, which he would have to know about because of the close knit nature of the Seattle movement.45 He goes on to say that he knows Miyatake would not be a hypocrite and straddle both sides of the fence, then says that he would appreciate Miyatake’s continued help but understood if he wished to resign.46 Miyatake never saw the letter until years later, as that period of his life occurred during his divorce trial with his wife.47

43 Shimabukuro, Born in Seattle, 74.
44 Ibid, 64..
45 Letter regarding criticism of the JACL Redress Committee’s decision about redress, Densho, Shosuke Sasaki Collection, 1.
46 Ibid, 2.
47 Shimabukuro, Born in Seattle, 58.
Yet, after the beginning of hearings, the conflict between the two groups became deceptively civil; although the NCJAR was more vocal and passionate than the JACL in its criticisms. The NCJAR newsletters and the JACL’s Pacific Citizen highlight this, while the NCJAR was keeping an eye on the CWRIC and later the Congressional hearings for the Redress bills, the JACL was watching what was happening with the lawsuit.\textsuperscript{48} In an article titled “NCJAR files its Lawsuit for reparations from U.S. gov’t.” published on March 25th, 1983, The Pacific Citizen discusses the particulars of the NCJAR lawsuit while providing a summarized response from the JACL, “...William Hohri … filed a lawsuit March 16th against the U.S. government on behalf of 25 Nikkei plaintiffs and his organization. The NCJAR class-action suit seeks approximately $10,000 per cause of action per individual.”\textsuperscript{49} The article then points out rather obviously that the NCJAR did not wait for the CWRIC’s recommendations before going forward with their lawsuit, something that seemed to bother the JACL. The article does go on to say that the JACL recognizes: “...that the NCJAR class action suit is one of many valid and legitimate approaches for seeking redress. While it is not the chosen course that the JACL has selected, we encourage any approach that any group might seek in addressing the redress issue.”\textsuperscript{50} Noticeably, the JACL’s paper retains more of a diplomatic tone throughout the years of the Redress movement, following the NCJAR lawsuit in passing. Meanwhile, the NCJAR’s Newsletter was more direct and critical of the JACL “The purpose of the Commission is to determine whether any wrong was committed. \textbf{Whether} any wrong was committed? The


\textsuperscript{49} Pacific Citizen, Whole No. 2,231, Vol. 96, No. 11 (March 25, 1983), Densoh, Pacific Citizen 1983 Collection, 1.

\textsuperscript{50} Ibid.
Commission is the creature of the Japanese-American congressional bloc and the Japanese American Citizens League." The NCJR’s response to the Commission is considerably more confrontational than the JACL’s response to the NCJR’s lawsuit three years later, and can be tied back to the JACL’s unwillingness to cooperate with the SERC and Hohri’s own protests against the CWRIC bill in the earlier Redress years. The JACL on the other hand had the title of the most prominent Japanese-American political groups. Thus found itself more secure in its convictions and had more time to craft a political image.

While the NCJR retained bitterness from previous years, the group did understand the predicament both pathways were in. In the newsletter for the NCJR published in September of 1985, William Hohri discusses the opinions from both sides that “...each approach be continued until it fails.” At this point Hohri was convinced that while one of the sides would not succeed, both were necessary, although he argued for the lawsuit as the main means for Redress.

Although I think it unlikely that both efforts will succeed, legislative and judicial redress, in one pairing, are not mutually exclusive. Were Congress to grant restitution, followed by a favorable court action, the court would take in consideration congressional restitution in its award. Moreover, the court could cover a larger class of victims than that covered by legislation. However in the second pairing, where the courts act before Congress does, I think Congress would feel that the government had fulfilled its obligation for redress. But mine is an untutored opinion.

Hohri was correct, though unfortunately only one side was able to pass and sustain Redress and that was the legislative side speared by the JACL. In an issue of the Pacific Citizen published on November 4th, 1988, the paper reported the reactions of the NCJR leadership, focusing

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51 NCJR publication: Response to CWRIC, Denso, Shosuke Sasaki Collection, 1-2.


53 Ibid.

54 Hatamiya, Righting a wrong, 165.
particularly on Aiko Herzig and William Hohri. Aiko and Hohri were reported to have expressed disappointment at the outcome of the lawsuit, and showed that they understood full well the implications of its failure. By publishing this, the JACL showed that perhaps it too understood what had been lost even if it had viewed it as less important: “We are sorry the Supreme Court did not hear and did not grant the petition for a hearing of the class action suit. We wanted the Supreme Court to look at the constitutional violations against the Japanese Americans and face the conditions that existed at the time, when the Justice Department perpetrated fraud against the court by suppressing evidence.” The JACL National President at the time, Cressey Nakagawa, also commented on the failed suit; stating that the suit had likely been the only opportunity that could have led to a reversal of the original rulings on the legality of Japanese Internment. He expanded on this later in the article when he pointed out that “Everybody concedes that those decisions were wrong. At the same time, those decisions remain on the law-books of this country as legal precedent for the notion that fraudulent claims of military necessity justify the incarceration of American citizens without due process.” This shows that even Nakagawa realized that the legal precedent for internment had never been officially and explicitly challenged, and that perhaps it should have been. Regardless of this the JACL had fully committed to the path they chose, gaining redress for a price.

However, in Seattle on September 9th, 1981, redress was still just a possibility on the horizon. Doug Jewett, City attorney of the City of Seattle took the floor to testify in front of the CWRIC: “I testify today seeking redress for our system of government, redress for all the

56 Ibid, 9.
57 Ibid.
citizens of this land who want to know whether in time of crisis the Constitution of the United States is worth more than the paper it was written on.”

By this time the CWRIC had traveled from Washington D.C to Los Angeles, and from LA to San Francisco; landing on September 9th in the heart of the split between the JACL and the NCJAR, Seattle. William Hohri in his book criticized a statement read by a Commissioner Senator Edward E. Brooks on the behalf of Senator Henry Jackson implying that the Commission recommend establishing a Human Rights Foundation that could possibly grant scholarships and serve as a “...symbol of democratic values and ideals to help show that never again would an episode like the Relocation and Internment re-occur.”

This proposal left Hohri with a sour taste in his mouth and he expressed the opinion that this was as much of a sidestepping to the actual issue, and an appeal to the JACL by the senator who Hohri claimed “...would defer political power and prestige, much as the JACL had done in the difficult war years.”

Doug Jewitt’s comments must have invoked a similar reaction within Hohri, as he discussed the sacred rights of citizens, and pulled the magnifying glass away from the Japanese Community. In a way, the fear Hohri and the NCJAR had that Redress would be undermined by making it a human rights issue instead of a Japanese-American issue undermined efforts to challenge the broad scope of this issue. While it is understandable that the community which had found itself so insulted would not want their experiences to be reduced to a human rights issue, the JACL understood the broader political game. Doug Jewett did

58 Testimony of Douglas Jewett, Densho, Commission on Wartime Relocation and Internment of Civilians Collection, 1.


60 Seattle Hearing, Sept. 9, 1981, 7.

61 Hohri, Repairing America, 121.
conclude his statement with the idea that those who were interned, “... have a right to see that our Constitution is honored and protected. The only way that we can rely upon that belief is if Congress and the President realize the wrong that was created and pay a price, a fair price, as a deterrent so that it doesn’t happen again.”

The problem is that internment could have only been deterred again by challenging it and reversing the wartime Supreme Court rulings, like Nakagawa said, “...those decisions remain on the law-books of this country as legal precedent…”Simply forcing the government to pay up does not reverse legal precedents to commit a certain act, it only reprimands them for an act against a specific people in the past.

On September 10th, 1981 Brian Aburano, a lawyer representing the Asian Law Association testified in front of the commission. He discussed the goals of the Redress movement, compensation for economic losses, which he said could be in his opinion taken to court easily on the premise of a violation of the Japanese American’s constitutional rights. He stated that any Redress plan needed to not only compensate for internment but to also rectify the issues surrounding internment. His testimony went into different plans that could be used to adequately resolve what had occurred, urging the Commission to keep these ideas in mind when making their recommendations. What is most important to observe from this testimony is that many lawyers believed that a suit could be brought up, and won regarding the case of internment. The support and precedent was there. Shortly after, Gordon K. Hirabayashi testified in front of

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the commission to report a survey of the Seattle area as to how Japanese Americans viewed the issues of Redress and their solutions. Around 63% of those surveyed Hirabayashi claimed, recommended that some legal action be taken to ensure internment was not repeated.\textsuperscript{66}

This was not Hirabayashi first testimony, two months prior to the Seattle hearings, he had testified in front of the Commission in Washington on the 14th, two days before the NCJAR and JACL representatives did.\textsuperscript{67} Hirabayashi was arrested during wartime for intentionally violating curfew, he was convicted, and later his conviction was upheld by the Supreme Court.\textsuperscript{68} His original intention had been to create a case to challenge the exclusion orders, but that issue had been sidestepped during his conviction.\textsuperscript{69} Hirabayashi knew this, and he understood what was at stake, urging the Commissioners to recommend Congress to enact legislation in order to reopen his case.\textsuperscript{70} Further he outlined the importance of this by explaining how certain loopholes within the law had been left open, making Internment possible in the future. “The court, in essence left, what appears to be a prominent loophole … they seemed to say … When there is a compelling social circumstance, individual rights must give way and exclusion from specified areas and detention in confined zones may be necessary for military security…”\textsuperscript{71} Hirabayashi’s full verbal testimony was cut short due to time constraints, although a copy of his testimony

\textsuperscript{66} Ibid, 174.

\textsuperscript{67} Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, 201.

\textsuperscript{68} Hatamiya, \textit{Righting a wrong}, 167-168.

\textsuperscript{69} Ibid, 169.

\textsuperscript{70} Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, 202.

\textsuperscript{71} Ibid, 203.
submitted to the CWRIC afterwards; continued his arguments by tackling the question of “Could this happen again?”

For those who believe that it can’t happen again, it is sobering to recall urgings, all the way up to the U.S. Senate, that Iranians be uprooted and incarcerated. In fact with memories fading (collective amnesia is comfortable) and many Americans uninformed since mass uprooting is covered hardly at all in school textbooks, a strange new logic is emerging: 1. No government would take an action as drastic as mass removal of an entire ethnic group unless there is clear justification. 2. The Japanese Americans were uprooted en mass. 3. Therefore, there must have been clear justification...\(^\text{72}\)

William Hohri himself references the Iranian Hostage crisis of 1981 in a newsletter by the NCJAR published in February.\(^\text{73}\) Regardless of their reasoning, it is clear that Hirabayashi and Hohri believed that the mass relocation and detainment could happen again. In their minds, the only way to make sure it would never happen again would be if Hirabayashi’s case and the cases of others be heard before the Supreme Court.

The NCJAR first filed its Class Action Lawsuit on March 16th, 1983, selecting twenty-five Japanese Americans from diverse backgrounds, with William Hohri as the main plaintiff.\(^\text{74}\) Two months later on May 16th, 1983 the Department of Justice filed a motion to dismiss the NCJAR’s case.\(^\text{75}\) The NCJAR did not immediately file an opposition to the motion as they had to first file for class certification, confirming that the plaintiffs fulfilled the requirement for a class action suit on June 14th, 1983.\(^\text{76}\) They filed their opposition to the dismissal on July 15th, 1983 which started a back and forth argument between the NCJAR lawyers and the Department.

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\(^{72}\) Testimony of Gordon Hirabayashi, Densho, Commission on Wartime Relocation and Internment of Civilians Collection, 10-11.

\(^{73}\) NCJAR publication February 9th, 1981, Densho, Shosuke Sasaki Collection, 1.

\(^{74}\) Hatamiya, Righting a wrong, 173-177.

\(^{75}\) Hohri, 203-204.

\(^{76}\) Ibid, 204-205.
of Justice. The NCJAR eventually lost this debate, and on May 17th, 1984, the suit was dismissed. The NCJAR then moved to appeal that dismissal in July of 1984. Eventually their work paid off; a NCJAR newsletter released in September of 1985 told its supporters that on the 24th of September 1985 the NCJAR would have a hearing within the Court of appeals: “A three-judge panel, still unnamed, will hear attorneys from Landis, Cohen, Rauh and Zelenko (Hohri et al) and from the U.S. Department of Justice (United States). The panel will render a decision in some imprecise time, perhaps by year’s end or early 1986, in the turn of the year.” During this panel, as the Pacific Citizen reported, the Court of Appeals voted in favor of the suit while stripping it of twenty-one out of the twenty-two claims. With only the one case, Hohri’s, the NCJAR filed to be heard by the Supreme Court on August 26th, 1986. In an NCJAR newsletter sent out in March of 1987, Hohri tells supporters that the appeal to be heard by the Supreme Court was still pending. Only a month later however, in April of 1987 their request to be heard by the Supreme Court was accepted. The date of the hearing was reported set for April 20th, at 2:00pm. William Hohri wrote a piece in the same newsletter reporting the court date

77 Ibid, 205-207.


80 Ibid.


82 Hohri, 217.


reminding readers that it was “imperative that the Supreme Court re-examine the issues and correct the historical record in order to give justice to these people”\textsuperscript{85} The NCJAR was obviously overexcited about the near success of the lawsuit they had worked so tirelessly on. Hohri stated that about a hundred friends and supporters were there in Washington on that day.\textsuperscript{86} However, their victory was short lived and the Supreme Court sent the case back to the lower courts.\textsuperscript{87} There the case remained until being thrown out in 1988 after the passage of H.R. 422.

The JACL followed this progression closely in their publication the \textit{Pacific Citizen}, mentioning the NCJAR, and its suit in twelve different issues spanning the Redress years. In 1984 the JACL did speak upon the NCJAR’s behalf supporting their appeal, an act which William Hohri saw as one for friendship, giving them a rare bout of uncharacteristic praise.\textsuperscript{88} When the dismissal was overturned in 1986, the JACL reported on it, saying that it was hailed as welcome news by the JACL national director Ron Wakabayashi saying that it expanded the vehicles through which Japanese Americans could seek both avenues of Redress.\textsuperscript{89} However, their help all boiled down to friendly gestures, only throwing in their support on the overturning of the suit’s dismissal, yet not pushing to join it or throwing any significant weight behind it. The suit itself was funded through donations raised by the NCJAR from supporters, not by any contributions from the JACL.\textsuperscript{90} The NCJAR used the legendary story of the Forty-Seven Ronin,
a group of feudal Samurai warriors who as the advert explains, “obtained justice through their self-sacrifice.”

Thus, the NCJAR called upon these everyday “Ronin” to support the cause of taking their injustice to the highest court. William Hohri pointed out at the end of his book that “While we were scrounging for a few dollars to sustain our movement, to publish our newsletter, cover expenses of postage, telephone and office supplies, and pay legal fees and costs, our adversary was coping with trillions of dollars in budgets and debts.”

One can lay blame on the JACL for not granting a more tangible amount of support, support which may have helped overturn the premise of internment, by granting needed funding to the NCJAR in any way it could. However, the split that continued between these two organizations jeopardized both pathways, leaving only one to succeed in the end.

Because the Redress movement was not officially able to challenge internment in front of the Supreme Court, the legal precedent supporting something like internment, or internment itself looms in the periphery of American politics. Yet, this has been shown to have been something that Japanese Americans wished to correct. What went wrong was that the divided nature of the community subverted the efforts made to address this issue. So we must turn our attention now to the legacy of Redress, something which is discussed in Eric K. Yamamoto’s article What’s Next? He addresses the many pros and cons of Redress movements and analyzes the ways it can help or hurt the cause of a group seeking justice. He asserts that the legacy of Japanese American Redress has yet to be decided, and relies on how Japanese Americans

91 Appeal for redress support, Denbo, Shosuke Sasaki Collection.

92 Hohri, 225.

93 Hatamiya, Righting a wrong, 43-48.
involve themselves or support the struggles of other groups. It is the future that decides the legacy of the past, in this case especially. On the 35th anniversary of the CLA, Richard Katsuda, a member of the NCRR and one of the many Japanese Americans involved in getting people to testify recalled the story of his encounter with Umeno Fujino, a “tiny, but super feisty woman with a heavily raspy voice.” He approached Fujino to ask her if she would testify in front of the commission, something which she felt she could not do, saying in Japanese. “That was a long time ago, I really don’t know, What to say, I don’t have anything to say, they’re not going to listen to an old lady like me.” He kept urging her, but he says he felt he wasn’t getting through. Yet something in his mind clicked and he said in Japanese, “Fujino, you have to do it for your children, for your grandchildren.” That resonated with her, and she looked down and sighed, saying, “You’re right.” This exchange embodies the spirit of Redress. While the Redress movement may have failed in ensuring that there was no way internment could happen again, the story of Redress, the split, all of it can serve as a lesson for future groups seeking redress or justice. Furthermore, a law could be passed which would address the missed opportunity of Redress, correcting our past mistakes as a nation and ensuring that no power elected or judicial can ever justify such a thing again. This issue is something we as a society must address soon, for our children, for our grandchildren, and for ourselves.


96 Richard Katsuda, "2013 Day of Remembrance".

97 Katsuda, 20:45.

98 Ibid.
Primary Source Bibliography


This document represents the ultimate culmination of bitterness between the JACL and the Seattle chapter. It holds severe criticism of the JACL and its views on Redress. I use it to further explain how these emotions and opinions lead to the split.


A pamphlet calling for donations to be made to the NCJAR to support their lawsuit.


The Civil Liberties Act was the ultimate culmination of the legislative pathway to Redress. I use it to show that while reparations were granted, internment was never challenged by the document.

This book was written in 1988 around the time that the Redress movement passed H.R. 422 and gained monetary reparations from the U.S government. As it is a personal memoir more than a History of the Redress movement, as it is close enough to the events discussed in this paper, it provides an insight into Hohri’s perceptions and the perceptions of the NCJAR of the Commission and the direction the movement was taking as a whole.


In this video, Katsuda discusses his encounter with Umeno Fujino, and how he convinced her to testify in front of the CWRIC. I use it to emphasize the importance of the loophole, and why they were looking to challenge it in the first place.

*Letter regarding criticism of the JACL Redress Committee's decision about redress*, ddr-densho-274-132-mezzanine-d89cf6bc37, Densho, [Shosuke Sasaki Collection](http://ddr.densho.org/ddr/densho/274/132/mezzanine/d89cf6bc37/).

This letter was sent by the John Tateishi from the National Coalition for Redress/Reparations, to Henry Miyatake of the SERC about criticisms of the JACL/NCRR by some in the Seattle branch of the JACL. I use it to show the mounting tensions leading to the split.


In this interview Lillian Nakano discusses her role in getting Nisei, children of first generation Issei, to both discuss internment with one another and testify in front of the Commission. I use it to show some of the sentiments within the movement about internment.


This publication is the NCJAR’s response to the formation of the CWRIC and expresses their distrust of the Commission and its goals. Which is what I use it for.


This publication by the NCJAR discusses the Iranian Hostage Crisis. I use it to show that the Japanese were well aware of sentiments to intern other people of different backgrounds.

This newsletter of the NCJAR discusses the NCJAR’s move to appeal their case’s dismissal. I use it to discuss their sentiments and help build a timeline of events.


This newsletter discusses how the JACL came out in a brief show of moral support for the NCJAR’s appeal of their lawsuit. I use this to show a timeline of events and also to show the Hohri’s opinion on this.


This newsletter of the NCJAR discusses the success of the NCJAR in gaining a hearing in the court of appeals to overturn the dismissal of their lawsuit. I use this to show their views on the matter and to contribute to a timeline of events.


This issue of the NCJAR newsletter discusses the NCJAR’s movement to have the Supreme Court hear their case. I use it to build a timeline of events.
The NCJAR newsletter reporting on the Hohri case being heard by the Supreme Court. I use this to show both how the NCJAR presented the news, their comments, and to help create a timeline of events regarding the case.


The newspaper of the JACL, reporting on the filing of the NCJAR’s lawsuit against the United States government. I use this to show how the JACL reported this news, and create a timeline of events.

*Pacific Citizen, Vol. 102, No. 4 (January 31, 1986)*, ddr-pc-58-4-mezzanine-7d5547c908,

Denso, *Pacific Citizen 1986 Collection*,


The newspaper of the JACL, reporting on the overturning of the dismissal of the NCJAR lawsuit by the court of appeals. I use this to show how the JACL reported this news, and create a timeline of events.


Denso, *Pacific Citizen 1986 Collection*,

The newspaper of the JACL, reporting on the NCJAR case being heard by the Supreme Court. I use this to show how the JACL reported this news, and create a timeline of events.


The newspaper of the JACL, reporting on the Supreme Court sending the Hohri case back to a lower court. I use this to show how the JACL reported this news, and create a timeline of events.


The newspaper of the JACL, reporting on the dismissal of the Hohri vs the United States lawsuit. I use this to show how the JACL reported this news, and some of the reactions of the NCJAR leadership. Also helps create a timeline of events.


This document was written by the SERC outlining what a redress plan would need to include in order to be satisfying to Japanese American interests. It would be used as the foundation for the Lowry bill, the Civil Liberties act, and was what the CWRIC used in their recommendations on Redress.
Public Hearings of the Commission on Wartime Relocation and Internment of Civilians, Washington, DC, July-Nov, 1981; *(National Archives Microfilm Publication M1293, roll 1)*; National Archives Building, Washington, DC.

Micro-film Transcripts of the Washington hearings of the Commission on Wartime Relocation and Internment of Civilians. This source provides a rarely seen dialogue between the NCJAR and the JACL. It is also one of the few hearings that touches upon the Redress movement as well as Internment. In the paper it is used to provide dialogue between the two opposing sides of the Redress Movement. The Washington hearings are by far the richer hearings in terms of Redress, and saw a war of words exchanged in a public setting between the two opposing sides on Redress.


Typed Paper Transcripts of the Seattle hearings of the Commission on Wartime Relocation and Internment of civilians. Seattle was the true birthplace of the 1980’s Redress movement, as such it witnessed more dialogue about the Redress movement and it’s goals. In particular I use this to discuss the opening statements and analyze an incident William Hohri discusses in his book *Repairing America*. I also use this collection later to discuss conversations about the legality of Internment and how to resolve the loophole the Redress movement saw.
The Testimony of Douglas Jewett shows how other elements participating within the CWRIC at times attempted to pull the main issue away from the Japanese and into a more overall human rights issue. Douglas Jewett also discusses an educational institution instead of actual monetary redress. I use this in conjunction with Hohri’s book to show how this whitewashing in his mind of the issue detracted from the true goal which was to address the injustice that had happened to the Japanese, and make sure it could not happen again.

The Testimony of Gordon Hirabayashi was given during the Washington hearings of the CWRIC, and expressed his views on internment, a legal pathway, and on the topic of “could internment happen again.” I use this to show that he and others like him understood a loophole existed and were seeking to fix it.
The Testimony of William Hohri is the testimony that he read at the first Washington hearings in 1981 of the CWRIC. His testimony is on behalf of the NCJAR, and I use it to cite excerpts of his speech to the Commission.

Secondary Source Bibliography


This article discusses Aiko Herzig Yoshinaga, one of the prominent members of the NCJAR, lead researcher for the CWRIC, and co-researcher with Peter Irons, a lawyer, on all the Coram Nobis cases. This article sets out to establish Aiko’s importance to the success of the Redress movement and argues that without her dedicated research, the movement would’ve failed. Since she is also so important to the NCJAR, and supported the lawsuit more than the legislative pathway, I use this source to generally discuss her within my paper, and her roles in the NCJAR.


In this article we again find ourselves discussing Aiko Herzig Yoshinaga, this time from the perspectives of how she found and repurposed the documents on internment to suit the needs
of the Redress movement. It discusses another aspect of her work and I use it in conjunction with *Destructive Force* to discuss her contributions to the Redress movement.


*Righting a Wrong* is an older source and some might question if it could be replaced by more recent scholarship. The reality is the secondary literature on this topic is not only small, but only a handful of that small scholarship focuses on the legislation or legal pathway to Redress. This source focuses on the legislative path, however, it does touch on the NCJAR and the Hohri Lawsuit. It provides one of the most organized timelines of events of any of the secondary sources on the topic. Further, it does a good job of discussing how congress works and how the bill was able to pass.


*Achieving the Impossible dream* is one if not the most important book on the Redress movement written. While it is not the oldest, nor the newest. It remains one of the most diverse and comprehensive analyses of the Redress movement written to date. Most sources post 1999 include it in their Bibliographies, and for good reason. Within my paper it helps provide a broader narrative of the overall movement as a backdrop to the JACL/NCJAR split I am discussing.


What’s Next? Is not necessarily a typical historical source in the sense that it engages more with the theory of reparations rather than the history of Redress. Obviously to engage in the theory one must pay attention to the lessons of the past, and in this respect the source does hold up where it needs too when compared to the other historical sources on Redress. However, in my paper it is used more to discuss the implications of Japanese Redress within the broader theory of reparations Yamamoto discusses.


Born in Seattle covers the history of the Seattle Community’s involvement with the Redress movement and attributes much of its successes to the efforts of the Seattle JACL branch which would later split from the JACL to form the NCJAR. For my paper I use it to discuss the history of the NCJAR’s formation and the people involved in pursuing the lawsuit led by William Hohri.

Appendix - I

Full Quotes - Referenced back to their abridged quotes within the paper

“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 are 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.” - Footnote - 12

“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 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.” - Footnote - 15

“What we are trying to do is -- we are trying -- we have, through our experience with the Congress, we have some suspicion of the capability of Congress, either from the standpoint of finance or will, to enact legislation which would provide restitution. We worked very diligently in trying to get Mr Lowry’s bill passed and it was overwhelmingly defeated which indicated to us that the Congress is simply not willing to consider this issue. And so it seemed to us that the alternative, which is also very difficult to seek restitution through the courts. And that’s all we’re doing and we’re simply asking for your help, and we are certainly willing to help with that.” - Footnote - 22

“The legislative remedies, of course, might be one way in which to avert this problem. And I guess from a personal standpoint, and I keep thinking dog-gone it, the Dred Scott decision was handed down by the Supreme Court in 1857, and it took constitutional amendments, the 13th, 14th and 15th amendments of the Constitution of the United States, before we reversed that kind of thing. And I keep thinking perhaps we should recommend a constitutional amendment saying that the rights of no persons shall be abridged because of parentage or ancestry. That, perhaps too, is a long range dream.” - Footnote - 26

“Although there have been a number of legal comments on the incarcerations, we feel that it is important to re-examine and consolidate the constitutional issues for this Commission, because the Supreme Court decisions implicitly validating such exclusions and detentions have never been overruled.” - Footnote - 27

“Washington--William Hohri, chairman of the National Council for Japanese American Redress, filed a lawsuit March 16th against the U.S. government on behalf of 25 Nikkei plaintiffs and his organization. The NCJAR class-action suit seeks approximately $10,000 per cause of action per individual. According to the suit, when all causes of action are tallied, the suit seeks in excess of $200,000 for each Japanese American who was excluded from the West Coast, and later interned in relocation camps during World War II. Theoretically, the total payments requested by this suit would exceed $24 billion.” - Footnote - 49

“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 Capital 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...” - Footnote - 51

“Although I think it unlikely that both efforts will succeed, legislative and judicial redress, in one pairing, are not mutually exclusive. Were Congress to grant restitution, followed by a favorable court action, the court would take in consideration congressional restitution in its award. Moreover, the court could cover a larger class of victims than that covered by legislation. However in the second pairing, where the courts act before Congress does, I think Congress would feel that the government had fulfilled its obligation for redress. But mine is an untutored opinion.” - Footnote - 53

“We are sorry the Supreme Court did not hear and did not grant the petition for a hearing of the class action suit. We wanted the Supreme Court to look at the constitutional violations against the Japanese Americans and face the conditions that existed at the time, when the Justice Department perpetrated fraud against the court by suppressing evidence.” - Footnote - 56

“Everybody concedes that those decisions were wrong. At the same time, those decisions remain on the law-books of this country as legal precedent for the notion that fraudulent claims of military necessity justify the incarceration of American citizens without due process.” - Footnote - 57

“I do not appear before you today seeking Redress for the Japanese Americans who were interned during World War II, for no amount of money can compensate them for their losses. I testify today seeking Redress for our system of government, Redress for all the citizens of this land who want to know whether in time of crisis the Constitution of the United States is worth more than the paper it was written on.” - Footnote - 58

“In the Supreme Court decisions, Hirabayashi v. U.S. in 1943, in June of ‘43, Korematsu v. U.S. and Ex parte Endo, December 1943, the court, in essence left, what appears to be a prominent loophole, in their logic they seemed to say, first major premise: 1) When there is a compelling social circumstance, individual rights must give way; 2) Exclusion from specified areas and detention in confined zones may be necessary for military security; 3) and the conclusion; therefore, all persons of Japanese ancestry must be uprooted and detained in camps.” - Footnote - 71

“For those who believe that it can’t happen again, it is sobering to recall urgings, all the way up to the U.S. Senate, that Iranians be uprooted and incarcerated. In fact with memories fading (collective amnesia is comfortable) and many Americans uninformed since mass uprooting is covered hardly at all in school textbooks, a strange new logic is emerging: 1. No government would take an action as drastic as mass removal of an entire ethnic group unless there is clear justification. 2. The Japanese Americans were uprooted en masse. 3. Therefore, there must have been clear justification...” - Footnote - 72
“We will, at long last, have a hearing in the U.S. Court of appeals for the District of Columbia Circuit. The place symbolically, is the floor above the U.S. District Court in which we lodged our complaint on March 16, 1983. Our complaint was dismissed in May 1984 and appealed in July 1984. A few of us plan to attend. It will be a short hearing, lasting an hour or so. A three-judge panel, still unnamed, will hear attorneys from Landis, Cohen, Rauh and Zelenko (Hohri et al) and from the U.S. Department of Justice (United States). The panel will render a decision in some imprecise time, perhaps by year's end or early 1986, in the turn of the year.” - Footnote - 80

“...imperative that the Supreme Court re-examine the issues and correct the historical record in order to give justice to these people, [the wartime victims of exclusion and detention]. The government violated almost every one of the constitutional we hold so dear, including the rights of due process, equal protection, compensation for the taking of property, freedom from unreasonable arrest, search, and seizure, a fair trial, protection from cruel and unusual punishment and involuntary servitude, and freedom of religion, speech, press, association, privacy, and travel.” - Footnote - 85

Appendix - II

Timeline