

# KOKORO

THE HEART AND SOUL OF OUR COMMUNITY  
SAN MATEO CHAPTER JAPANESE AMERICAN CITIZENS LEAGUE JUNE 2007  
<[WWW.SANMATEOJACL.ORG](http://WWW.SANMATEOJACL.ORG)>  
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SAN MATEO JACL IS DEDICATED TO PROMOTING THE HISTORICAL AND CULTURAL UNDERSTANDING OF THE JAPANESE AMERICAN EXPERIENCE AND TO PROTECTING AND ADVANCING THE HUMAN AND CIVIL RIGHTS OF OUR MULTI-ETHNIC SOCIETY THROUGH EDUCATIONAL AND COMMUNITY PROGRAMS.

Articles must be submitted before the first Friday (one month prior to publication) and in electronic format [Microsoft WORD, New York font] to [katemotovama@sanbrunocable.com](mailto:katemotovama@sanbrunocable.com).

## LESSONS FROM THE PAST . . . THE IMPORTANCE OF HABEAS CORPUS

*"The Japanese in California should be under armed guard to the last man and woman right now and to hell with habeas corpus until the danger is over."*

- *Los Angeles Times, February 16, 1942*

*"The Constitution doesn't say every individual in the United States or every citizen is hereby granted or assured the right of habeas."*

- *Attorney General Alberto Gonzales, January 17, 2007*

## QUEEN CANDIDATES SPEAK ON IDENTITY AS THE TOP CONCERN OF YOUNG NIKKEI

The Queen Candidates for the 2007 Northern California Cherry Blossom Festival were posed several questions by the *Nichibe Times* in advance of their pageant day. One interesting question asks, "What do you think is the top concern of young Nikkei today and how would you address that concern?" Here is how some of the candidates replied:

Mariko Kobayashi: "Today's young Nikkei may have an issue with their identity, due to the fact that they were reared understanding both American and Japanese culture. Like myself, I believe it is difficult to distinguish oneself whether they're an American or a Japanese. I believe it is important for our Nikkei youth to understand their heritage and their surroundings to be able to find one's identity."

Haseena Ashina Mohabbat: "I believe that young Nikkei today are often faced with identity issues and have a hard time finding a balance between American and Japanese cultures. Since I went through a similar situation, I hope to be an example to those who face such obstacles. I would also want to help found community groups and even internet forums so young Nikkei will have more outlets for seeking advice and information."

Sawako Sonoyama: "The top concern of a young Nikkei today is the ability to have a strong Nikkei identity. The Japanese American identity is complicated to define because of history and the media. The internment segregated and divided the Japanese American population to question their roots and some conflicts are unresolved today . . . I believe workshops and community groups that share a holistic view of who Nikkei are will help Japanese, Japanese Americans, and Americans.

Martha Tomiko Hayakawa: "I believe that the top concern of young Nikkei today is ethnic identity. It is hard to identify and find programs that today teach about what being Japanese is all about. I would address this concern by working with children and other young Nikkei to teach them about culture, and where we come from."

Megumi Jennifer Kaminaga, "I believe that the top concern is where young Nikkei can plug in to the community. I think that the Cherry Blossom Queen Program is great because it is a very prominent leadership program for young women in the JA community, but I think we can create more opportunities and leadership programs for the entire young Nikkei community to take part in."

Sarah Kumiko Fedai: “[T]here are still very few Japanese American political figures, even when this year’s presidential races have a diversity that has never been seen before. I would speak to young Nikkei and tell them that they can all be voices for the community, and it is time to get involved.”

### ACCENTS CAN SHAPE PERCEPTIONS

There is no single standard for how the English language is to be spoken and, living in the Bay Area with its diverse populations—many of whom do not speak English as a primary language—we learn how to listen and comprehend different accents. The article, “How accents define us,” by Mike Swift [*San Jose Mercury News*, April 15, 2007] states that, “Accents can make us see someone as alluring or suave (“Bond. James Bond.”)—or as unqualified. Accents can turn a simple home repair job into a confrontation, or a vulnerable request for directions into smoldering resentment.”

Even though accents can hinder communication—for both parties—Federal law states that hiring decisions can be made only if accent prevent the candidate from performing job duties that require effective communication. Accent has to “materially interfere” with communication, according to EEO guidelines on Title VII of the Civil Rights Act, which prohibits discrimination on the basis of national origin.

The article goes on to say that sometimes accent may be attributed as the source of communication problems, but that, really, it is other biases. For example, a study was done where university students listened to taped lectures of a white woman from Central Ohio. Half the students were shown her picture and told she was the lecturer. The other half were shown a picture of an Asian woman, with identical dress and hairstyle. They were told she was the lecturer and listened to the same tape. In comprehension tests, those who thought they heard the Asian lecturer scored lower than the other group. This is called “accent hallucination.”

### JACL APPLAUDS PASSAGE OF HATE CRIMES PREVENTION ACT, MAY 3, 2007

The Japanese American Citizens League applauded bi-partisan action by the House of Representatives in its passage of H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act. The bill expands the definition of hate crimes to include gender, sexual orientation and disability in addition to race, religion and national origin. It also expands targeted crimes beyond those violating federally protected acts such as voting. Such restrictions have frustrated federal prosecutions when pressures have led local authorities to drop charges. The Hate Crimes Prevention Act would allow federal authorities to investigate and prosecute hate crimes in situations where local law enforcement lacks the resources or is not willing to do so.

The JACL has been in full support of this bill and will focus its attention to the Senate where a vote is expected in the near future. Hate crimes prevention and response programs have been a major program of the JACL. The JACL recognizes the importance of strengthening hate crimes legislation because these crimes can stigmatize an entire community and not just the immediate victim.

Asian Americans have long time been victims of hate crimes. FBI statistics show that hate crimes against Asian Americans have been on the rise. However, it is suspected that there is an under-reporting of such crimes because of the focus that it might bring to families and individuals. The bill will now go to the Senate for a vote there. During the last legislative session a similar bill was passed in the Senate.

Hate crime legislation allows prosecutors to seek tougher punishments for crimes committed against a class of people. A number of Jewish groups, including the JACL, Anti-Defamation League, Jewish Council for Public Affairs, and National Council of Jewish Women, backed the bill. Conservative Christian groups rallied against the bill, worried that it would establish a precedent in U.S. law for gay rights.

The White House said Bush's "senior advisers would recommend that he veto the bill," language just short of a pledge to do so – a sign that Bush could still change his mind. The White House worried that the law might be unconstitutional because it federalizes crimes unrelated to federal activity. Backers of the hate-crimes law countered that such laws are passed routinely, noting recent federal laws signed by Bush that ban burro slaughter and cockfighting. The White House announcement also expressed concern that other classes of Americans such as "the elderly, members of the military, police officers and victims of prior crimes" were not included in the bill.

"Since similar federal hate crime laws have never been successfully challenged – and the Supreme Court upheld the constitutionality of hate crimes laws in 1993 – we are confident that this law will pass constitutional muster," the ADL said in a statement.

## MENDEZ V. WESTMINSTER RULING (1946) COMMEMORATED ON POSTAGE STAMP

Méndez et al. v. Westminster School District of Orange County et al. is a World War II-era legal case in which civic-minded parents in California successfully sued to end segregation based on national origin in their schools. The groundbreaking ruling will be remembered on a U.S. postage stamp upon its 60th anniversary. The ruling preceded by seven years the U.S. Supreme Court ruling in *Brown v. Board of Education* and was supported by friends-of-the-court briefs by many groups, including Thurgood Marshall (on behalf of the National Association for the Advancement of Colored People), the American Civil Liberties Union, the American Jewish Congress, and the Japanese American Citizens League.

Gonzalo and Felicitas Mendez were immigrants who met and married in California, believing in the American Dream. So it came as an insult when, in 1944, the elementary school in Westminster closed its doors to their three children. Segregated public schools were common at that time. In California and throughout the Southwest, children of Mexican descent attended specially designated and frequently inferior "Mexican school" facilities. Discriminatory practices were also common in movie theaters where Mexican patrons were required to sit in the balcony and at public swimming pools where they were welcome only on designated "Mexican days."

On March 2, 1945, Gonzalo Mendez and several other Latino parents sued four school districts (Westminster, Santa Ana, Garden Grove, and El Modena) on behalf of some 5,000 children. Their groundbreaking lawsuit became known as *Mendez v. Westminster*.

Arguing for the plaintiffs in court, attorney David Marcus attacked the prevailing notion of "separate but equal," a rationalization that it was acceptable to offer separate public facilities based on national origin or other criteria so long as the facilities were comparable. Marcus argued that they were not comparable, presenting testimony from parents and students as well as sociologists and educators, who testified that "separate but equal" treatment made children feel inferior and prevented them from entering mainstream American culture.

The plaintiffs argued successfully that such practices on the part of California schools violated their constitutional rights. On Feb. 18, 1946, Federal District Judge Paul J. McCormick ruled that merely providing the same textbooks, courses, and comparable facilities in separate schools doesn't give students equal protection under the law, and that social equality is "a paramount requisite" in America's public school system.

The school districts appealed, but the decision was upheld when the 9th Circuit Court of Appeals in San Francisco ruled on April 14, 1947, that the schools could not segregate on the basis of national origin. On June 14, 1947, a bill outlawing segregated schools was signed into law by California Governor Earl Warren, who later was appointed to the U.S. Supreme Court.

## PBS REVERSES POSITION AND WILL INCLUDE LATINOS IN BURNS DOCUMENTARY

PBS has decided to reverse its position and include the Latino and Native American experience in Ken Burns's forthcoming World War II documentary. The Defend the Honor Campaign was organized in early February to coordinate a national volunteer program to pressure PBS into making the addition.

The PBS plan also included the following elements:

- The additional narratives about experiences of the Latino and Native American veterans of World War II will be integrated into the documentary, the DVD, the Website and PBS' educational outreach materials.
- A Latino producer will be hired by Burns production company, Florentine Films, in consultation with PBS, to be part of the production teams that will create the additional content.
- The War will premiere on September 23, 2007 (during Hispanic Heritage Month) as scheduled with the inclusion of the new content.
- Additional national programming will be aired on WWII that will include and focus on the Latino contributions to the war.

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"This is a great victory for the Latino community and for our veterans and their families who have sacrificed so much for the defense of this nation," stated Dr. Maggie Rivas-Rodriguez, head of the campaign and a journalism professor at the University of Texas at Austin who leads the project that documents the Latino role in the war.

"When we started this campaign in February, many people told us that we would never get PBS to change its mind on this issue, given its poor history with the Latino community," Rivas-Rodriguez said. "But it is a tribute to Paula Kerger [PBS President and CEO] that she listened and took our concerns seriously, especially since this problem predated her leadership of PBS. She is a person of great integrity and we look forward to working with her."

SUNDAY MATINEE MOVIE

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