

# Compensation to Internees Could Rekindle Prejudices

By NORMAN D. SHUMWAY

Speaking out against legislation to compensate surviving Japanese-Americans who were interned during World War II is not a popular thing to do. And if, like me, you are a member of Congress who is well known for your love of Japan, its people, its culture and even its language, opposition to the measure will raise more than a few eyebrows among your many Japanese friends.

Nonetheless, I view the measure as an inappropriate and ineffective response to a situation that is highly suffused with emotion, rather than reason. It would establish a dangerous precedent in assessing the actions of the past by standards of the present. Perhaps worst of all, the measure threatens to revive anti-Japanese sentiment.

The compensation issue confronts us with a series of civil-rights violations that occurred in this country after the Japanese attack on Pearl Harbor in December, 1941. More than 120,000 people of Japanese ancestry were sent to internment camps. Recent decades in our nation have been witness to a renaissance of thinking regarding civil rights. I do not believe that we can apply such newly refined thinking to prior actions vis-a-vis the Japanese-American internment program, any more than we can, or should, consider compensating pre-Miranda arrestees for failing to read them their rights, or schoolchildren who were victims of "separate but equal" policies before *Brown vs. Board of Education*. It is inherently dangerous to establish a precedent in the law that makes yesterday accountable by today's standards. Assuming that we, as a nation, will continue to improve and refine our social values, such a precedent will invariably convict the actions of the past.

Another fault manifest in the bill is the arbitrary nature of the amount to be awarded to former internees as compensation. Why \$20,000? There is no logic, no reason, no relationship to identifiable criteria. Such a provision defies fair play by awarding the same amount to everyone. Some went to camps as infants; some were born there and perhaps spent only days behind fences. Others gave up homes and businesses that they had spent years building. Furthermore, the bill provides compensation only to those interned who are still alive; there is no testamentary nature to the compensation. That limitation seems to indicate that the purpose of the bill is to enrich the lives of some, rather than to make amends to all.

If fairness is a factor, then, by all means be fair. Devise a formula reflective of the degree of deprivation experienced. There are records that can be used to identify

internees who are to be compensated. A simple administrative claims procedure could be devised, reflecting age and length of stay and commensurate compensation.

The division of money for compensation and education is also flawed; \$1.22 billion would go to internment survivors, and the remaining amount—\$50 million—would be used to establish an educational trust fund. If we are committed to acknowledging and learning from mistakes of the past, while pledging to prevent recurrences, the trust fund should represent the lion's share.

Perhaps my greatest concern is the enactment of this bill would be detrimental to Japanese-Americans. With World War II behind us, Americans of Japanese ancestry have distinguished themselves. They are good citizens, hard workers, loyal patriots, responsible providers. I fear that this bill would spawn a new and deplorable wave of anti-Japanese bias, particularly among veterans' groups who fought in the Pacific theater and American civilians here and abroad who suffered grievous losses. Those people are not being offered \$20,000 for their privations.

What we have before us is a bad bill. It was born of highly charged emotionalism, it has no rational focus, it applies unrealistic standards, it is counterproductive and, in typical congressional fashion, it seeks to solve problems by throwing money at them. If we are serious about acknowledging a governmental wrong, let us do so with fairness, effectiveness and, above all, the dignity that such a situation and its victims deserve. Let us acknowledge the wrong by providing evidence that we will never allow it to recur. Let us establish an appropriate educational fund, not make just a token gesture. Let us perhaps erect a suitably inspiring monument, giving notice to the world that our commitment is real and our apology profound.

But, please, let us not establish a precedent that will lock us into schemes of monetary compensation for every individual ever harmed, inadvertently or otherwise, due to ignorance or even wartime hysteria. And let us not contribute further to the indignities that these Japanese-Americans have suffered by claiming that a check for \$20,000 can erase four years, or four months, or even four hours of sacrifice. Most of all, let us not take any steps to renew the anti-Japanese prejudice that, mercifully, is largely behind us.

We cannot undo the past. We can only acknowledge it, learn from it and grow.

*Norman D. Shumway (R), who represents the Stockton and Auburn areas in Congress, was a Mormon missionary who was based in Japan from 1954 through 1958.*

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