Q. This is Masatatsu Yonemura being interviewed by Robert Schwantes for the Ninth Judicial Circuit Historical Society on September 5, 1993. This is tape No. 1. Now we're ready to record here. They say to start out with your full name which I have already mentioned is Masatatsu Yonemura. I know you're known as Mas. Have you had any other names or nicknames over the years that are significant.

A. Well there was a period of time when I was just known as Masa. Other than that none.

Q. When and where were you born?

A. I was born at Riverside, California, October 7, 1916.

Q. Tell us about your family. Were your parents immigrants or were they already second generation?

A. My parents were immigrants. They were known as Nisei, which literally means first generation. They came from Japan at the turn of the century. I think they landed in Hawaii in 1903 and then 3 years later they came to the mainland around 1906.

Q. And occupation?

A. Well my father came over as a laborer and for many, many years I think he was sort of an itinerant farm laborer and then later settled down to maintenance gardening in Riverside.

Q. How about the education of your parents?

A. Well I think they both finished grammar school. It was about par for the course at that time, in the rural area where they came from.

Q. Did they live in the community, in Riverside with a lot of other Japanese or in a mixed community?

A. Well, in Riverside and the outlying areas, which was agriculture, I think there were probably not more than 30 or 40 families altogether. And in the neighborhood where I lived, which was within the city, there were probably just 6 or 7 Japanese families. This was in the area in which the Blacks and some Hispanics lived. It was not a middle class residential area.

Q. How about your grammar school, was it a mixture of students or what?

A. Well there was a mixture of Japanese, a few Japanese, and some Blacks and Mexicans, but there were no caucasians students there. It was a segregated and a gerrymandered grammar school district, there is no question about that.

Q. With teaching in English or Japanese or both.

A. No the teaching was all in English. One of the things as I look back on it is that while there wasn't the diversity that people think is ideal today, we had assigned to us I think the best teachers. As a matter of fact the principal of our school at the time that I was going there later became the superintendent of schools for the whole county. So the quality of education that I got in grammar school I thought was good. The Mexican kids would only go there for 2 months each year until they got in a jalopy to go to Imperial Valley to catch the early crops and winding up in Bakersfield picking cotton in August.

Q. You say here that your parents and one of your sisters were most influential in your early life, but you were a bigger family than just one sister?

A. Altogether there were 8 children.

Q. I gather that you had 7 brothers and sisters. Have any of them had a career involving the law in any way?

A. No.

Q At what point in your life did you begin to think about the possibility of becoming a lawyer?

A. Probably just before I was graduating from UCLA in 1939.

Q. But when you were in junior high school and high school what were your interests and ambitions at that time?

A. Probably to be an architect or an engineer.

Q. And was there anything that we ought to note about your high school years that was significant? Were you active in sports or anything like that?

A. No I wasn't active in sports. I did a lot of reading and I had a pretty good academic record in high school, and I did particularly well in math and sciences. I'd applied at Cal Tech, but I couldn't get a tuition scholarship. We didn't have the money, so I just stayed out of school for a year after high school in 1934 and worked. I had a desire to continue school but it didn't look very promising because there was a depression at that time.

Q. But then you say you went back to Riverside and went to junior college.

A. Yes I went to junior college in Riverside for 2 years. There was a teacher there who was very influential, probably the most influential teacher I had. His name was DeWitt McKenzie. He was a Harvard graduate, and he had a graduate degree which I don't think was necessary to be a junior college teacher at that time. I took the courses in economics and political science. And he was influential in the sense that he gave us assignments, for political science for example, to go back to the assignments to read Plato, Aristotle, Spinoza and so forth, which was unheard of at that time and it kind of opened up a new vista. Then on economics he taught it with what I later learned was a Socratic method, which became very useful when I was going to law school. He was very influential.

Q. And did you follow up the same line of study when you went to UCLA?

A. Well I took a major in economics, but I just took the bare minimum number of courses to fulfill the major requirements. But I took extra credits. I was probably taking 16 to 18 credits as a quarter or semester hours because it was free and I just figured I might as well take advantage of it. They have a very sort of an eclectic menu that--

Q. Yeah. So I take it you did very well in college. Your notes here say that you won highest honors and Phi Beta Kappa.

A. I got highest honors, at least that's what the diploma said, in economics. There was no formality on it. I just noticed

it when I got my diploma. And then I was voted into Phi Beta Kappa.

Q. And this group called the Golden Bruin. Tell me about that.

A. That was an interesting organization. The University of California president was Robert Gordon Sprowl and he was based in Berkeley but he spent at least a week a month at UCLA, and he had an advisory group, and I was invited to join the group. It was sort of a self-perpetuating group of students who were usually--I think they were all seniors at UCLA at that time. And we were sworn to secrecy and on the occasions that we would meet with President Sprowl, I think at least once every two months, possibly once every month, for an hour or two hour session in which there was no fixed agenda but my recollection was that we would discuss certain issues on the campus. There was an organization like that in Berkeley called the Golden Bears I learned when I came up to go to law school, but that was more open. In other words, the existence of the Golden Bears was known, the existence of the Golden Bruins was not known.

Q. You say that as you came toward the end of your college career you began to think about law school. What pushed you in that direction?

A. Well, I was graduating with a major in economics and I didn't want to do any graduate work in economics. There is no future in it in terms of a job. And one of my close friends who is now practicing law here in San Francisco, Allen

Brotsky, he was always motivated to go to law school. And he and I studied together a great deal and he says well why don't you consider law? And since going to law school didn't require any particular preparation major like medicine or engineering, I applied at Boalt at Berkeley and at that time if you had good enough grades you didn't have to even take the entrance examination, so I just got in for the class starting in September 1939.

Q. And what were the most influential courses or professors during your law school?

A. Well I would say that there weren't any particular courses per se that were influential. At that time at Boalt you could only taken certain elective subjects in your third year. The first two years the curriculum was fixed. As I look back I think there were 4 professors there that were influential. One was Max Raydin. He was as close to the Renaissance Man of anybody on the faculty, and he taught us--at that time they were requiring in the first semester law school to be taught Roman law. It wasn't his teaching so much but just his personality, his broad range in his scholarship, and the fact that he wrote a very, very warm letter for me after the war broke out and where I was seeking a letter of recommendation or a character reference so that I wanted to volunteer for the army language school, and Max wrote a very, very nice letter for me and we were very close friends. The other one was Alexander Marsden Kidd, who we

knew as Captain Kidd. He taught criminal law. And every once in a while he'd be cantankerous in class, but I think what he taught us was before you start any research, the first thing if there's a law on it, a written law on it, you go to the code section first. And his basic approach in teaching criminal law was not so much the substance of the criminal law but how to think. The third one was Dudley McGubney, who taught constitutional law. And he used the Socratic method in discussing the cases. And I had long talks with him right after Pearl Harbor about the threatened evacuation, internment and so forth and so on. And he counseled me and he says, "Look, the problem with the constitutional issues that will be raised with the internment program and various other violations of civil rights, the problem is the war could well be over before the Supreme Court resolves these problems." And he was almost right on those things. He was the one who with Pauly Murray, a Black woman who was doing research, conceived the theory that went to the Supreme Court that racial restrictive covenants on deeds could not be constitutionally enforced because a covenant was a part of the contract, but where state action had to come in to enforce that, the courts could not enforce it, so that in a sense restrictive covenants are racially restrictive covenants on housing became indirectly unconstitutional. But the concept of using restricting the courts from enforcing it--and I thought it was a very

brilliant theory, and it worked. And he had been working on it for many, many years before it went to the Supreme Court. I guess those three were the most influential. I said four, but--

Q. Among your classmates were there any people who were especially an influence upon you?

A. Well there several, at Boalt there was a briefing combine where students were assigned--the better students, the top students would be assigned various courses to brief the lecture notes so that each student wouldn't have to do his own. Of course the classmates that I knew very well and hung around with were Roger Wallenberg, who is now with the firm in Washington, D.C. that specializes in FCC work, and many of my classmates, of course, have become judges and so forth. I can't think of any particular one who is influential.

Q. Were you able to finish law school entirely before the war caught up with you?

A. No, I registered under the Selective Service Act of 1940, and it turned out that my draft number was a high one in the sense there was a likelihood of early call, and so right after December 7, 1941 I got my notice shortly after that to report for induction on February 25, 1942. It was fortuitous in a way because in a way because it was about a week to 10 tens before President Roosevelt issued his proclamation to begin the internment, so I got drafted just before that. And I was probably fortunate in the sense that I didn't have to go to an internment center.

Q. But what happened to rest of your family?

A. Oh they were all interned either at Posten, Arizona or at Hila River, Arizona. They were split between those two because they were assigned camps depending upon where they lived at the time of the evacuation. But my father had been picked up before that internment, I mean before the so called evacuation program began. He was picked up under a program where he was considered a dangerous enemy alien, and he was released immediately after he went to an administrative hearing, but the FBI rounded up around February 22 or February 20 all persons of Japanese ancestry who belonged to what was known as the nehongenkai, which was sort of a mutual aid society.

Q. And which nearly everybody belonged.

A. Everybody belonged, and they had some cockamamie idea that my father was a bum and might be sabotoging the war effort.

Q. Did you have any part in Nesay activities, Japanese American Citizens League before the war?

A. No because JACL was a small organization with very, very few members before the war. It grew in membership during the war because of the issues raised by the internment and so forth and so on. JACL had a fairly large chapter in Los Angeles. I joined it after the war, but I also left it in 1968 because there were certain things that I didn't agree with, some of their basic policies and philosophies.

Q. Well, tell us about your military service and here I think we'll have to resist the temptation to get into any lengthy war stories about the things we shared in common.

A. No, no, I'll give you a brief outline. I was inducted on February 25, 1942, went for processing at Presidio, Monterey and then was assigned for basic training, which was essentially infantry training at Little Rock, Arkansas at a temporary camp called Joseph T. Robinson. After finishing basic training I was sent to Camp Crowder, which was at Joplin, Missouri, sort of as a, what they called the ball gang activity, which was sort of like being on permanent KP. You could be assigned dish washing, cutting the general's lawn, almost anything. We were just miscellaneous workers. While I was at Joplin I served a brief stint as a cook with no training and then also in the finance office making up payrolls for the soldiers stationed there and then eventually assigned to--I was transferred to the army language school which had settled at Savage, Minnesota, which is 20 miles south of Minneapolis. And I was sent there as a--not as a language student, I was sent there as sort of a permanent KP again. And while I was there I had many friends in high places. John Iso, who was the director of the school was a friend of mine and he was a lawyer and he knew me as a law student. Tosho Skahera, I got him the job as a civilian at the language school right after Pearl Harbor by introducing him to Iso so he would avoid military service. He was

embarrassed. Jerry Kobyashi was the first sergeant and he and I used to play golf together, and he was embarrassed, and Lieutenant Hirana was the only commissioned officer and I used to grade his papers at UCLA on economics. So what they finally compromised was that I would get two months of tutoring before the new classes began by the teachers who had spare time. So I got two months of intensive training starting with Hutagona and Heragona and got into class 16, no class 13 out of 16 classes that began in December of '42 and then I got the usual 6 month training and graduated in June 1943 and waited for an assignment until October and then was shipped out to the Allied Translator and Interpreter Service, which was part of McArthur's headquarters in Brisban, Australia. And that was the--I fulfilled my goal of getting an assignment overseas and learning something about the language. So then I spent 18 months in Australia and then went to the Philippines for a few months until the A-bomb was dropped and then all leaves were cancelled and went into the first part of the occupation of Japan and was discharged in February 1946.

Q. When along that track did you get your commission?

A. I got the commission I guess in late 1944 or sometime the middle part of 1944. It was a direct field commission while I was in Australia. Colonel Nashbeer, who was the commandant, the ATIS had us programmed, had fought very hard to get commissions for the Nisa and he got a large allocation

and George Goda and a fellow named Sunkamota and I were the first three and then later on several others got their commissions.

Q. I remember that in Brisban you were working in what is called the technical subsection. Any particular comments on the nature of the work you were doing then? It didn't have much to do with your law background.

A. No. Well the work at the ATIS, which is an acronym for Allied Translator and Interpretor Service, was divided into interrogation of prisoners, which was the interpreting function, and the translation, which took care of the captured documents. General items were translated in a larger section. There was a subsection for technical documents, technical documents including weapons, weapon systems, and things that would come out of a soldier's diary that may have some technical intelligence value. I did very little of the direct translation but I edited the translation done by others who knew more Japanese then I did, but I found out that some of the drafts that came over were absolutely unintelligible. One of the weaknesses was that in the translations was that the person translating did not understand the subject matter. I learned very early it was more important to know the subject than the words because in the technical field the number of congi, or Chinese characters, that you had to know was limited. In other words there were a few hundred that you needed to know and they

each would be repeated in different combinations to describe different items. So it was an ideal section for me to be in because of my background and interest in engineering from my childhood days. I had a limited knowledge of Congi but I learned enough Congi to be able to translate most of the technical documents and I knew the subject matter and my English was much better than most of the Nisa or Keybay translators.

Q. When you went up from the Philippines to Tokyo did you do this kind of work or do something different?

A. Yes, we set up the same arrangement in Tokyo. My superior was George Goda at Australia, and I worked under him. But when we went to Tokyo George Goda was assigned to be the aide to the general, whose name I forgot, but the head of the signal corps in the occupation forces. So George left ATIS and I took over the technical translation section.

Q. And your notes say you were discharged as first lieutenant in February 1946. You didn't have any desire to stay on longer?

A. Well it was tempting. I had mixed feelings about staying because I got married in April 1943, six months before I shipped out, and I wrote to my wife--we corresponded of course almost on a daily basis, you know, I had many tempting offers to get a discharge in Japan to work as a civilian for the department of army or to continue my career as an army officer because the position that I had as the chief of the technical translation section of ATIS, the table of

organization called for a major to fill that job. I didn't have the time and grade as a first lieutenant. Well to make a long story short my wife says look, finish law school because otherwise you may never finish, then we can decide what to do. And that made sense, so I didn't have any hesitation about coming back and finishing up law school.

Q. Were you able to get into law school right away when you came back?

A. No because the last semester of 1946 had already started so I had to wait until the following fall. And there was one required subject the third year at Boalt Hall and that was evidence, and I'd already taken the first semester of evidence, which was a year course, but I couldn't repeat the second semester of evidence in the fall semester in '46 so I applied for and got a waiver of that. They said they'd graduate me without the otherwise required full year of evidence. And then also there was special legislation which was passed so I was able to become a lawyer without taking the bar examination as a veteran.

Q. Oh I didn't realize that. I was going to ask you about the bar examination, but you short circuited that one. So you finished at Boalt around the end of 1946 or beginning of '47.

A. Around the end of '46, '47 yeah.

Q. And what did you do then? How did you get started in your actual career in law?

A. Well, when I was finishing up my last semester in law school I was working part time doing process serving and a few other

miscellaneous messenger duties for a partnership of two Black lawyers, Vons & Burkley, and Tom Burkley was an outstanding athlete at UCLA. He was a year ahead of me, and he and I were friends at UCLA and I got to know him quite well while I was going to Boalt, although he finished up at Hastings. When we met and I was finishing my last semester in law school he says why don't you come and work for me. So for six months I picked up some loose change in my spare time while I was finishing up the semester and then they gave me an offer for a job. It was the only one that I could get. Then I stayed with George Vons for 7 years. His office was in West Oakland, and then in 1954 I went out on my own. So from '47 to '54 I was in what one might describe today as a ghetto law office, but I learned a lot. I learned to do a lot of things for myself and I learned how the poor Blacks--I learned a lot of things that helped me understand what's going on today in society. I would say that about 80 percent of my clients then were Blacks and about 20 percent Japanese.

Q. Were there any really important cases during that time that you handled?

A. Well the important cases, if any, that I handled were those cases in which I brought declaratory relief actions in the federal district court to get back the citizenship of especially those Nisei who were caught in Japan who the State Department had claimed had become expatriated for certain acts that they committed during the war and under the

Nationality Act of 1940 one could lose American citizenship by military service during the war, particularly if you were in the army or navy of the enemy country. And many of the Nisei males who were in Japan had dual citizenship and they were conscripted. And then the Supreme Court of the United States finally decided that conscription was not voluntary and therefore that there was no loss of citizenship. The second ground was if you worked during the war for a job which required the nationality of Japan. Well then I had cases of two sisters who were conscripted, or were almost conscripted not generally conscripted, to become school teachers. And the very fact that school teaching positions required Japanese nationality was said by the State Department as an expatriot act, but a very fine judge who was visiting here from New York decided that their service as a school teacher wasn't voluntary. It was not voluntary because if they had refused it they would have lost their rations and secondly, that it wasn't the kind of government job that required unquestioned loyalty to the Japanese government. For example, if they were working for the foreign office, he might consider it something else. And the third ground was voting in the post war elections. If you voted, having dual nationality, in a foreign election, you could lose your American nationality. But again, in those cases we were able to prove that the dual citizens voted because McArthur wanted a 100 percent turnout in the post war

elections under the new constitution that he had--these voting cases were all thrown out. So these were probably the most interesting and challenging cases. All of the cases were tried in the district court. None of them went up on appeal, and there were some cases ahead of mine that have laid the groundwork.

Q. You mention here in your notes that you also had a number of cases involving Japanese war brides during this period.

A. Well yeah, these were--fortunately I knew something about the background and the circumstances under which the young women from Japan married American servicemen. Most of the war brides, especially those whom I represented came from broken homes in the sense that father had gone off to war and never came back, so when they met an American soldier all soldiers looked alike. They all had the uniform on. They all looked clean shaven and were in clean uniforms and there was no way in the world that the bride could judge the educational background or anything else. These were not factors that went into the question of marriage. Many of them also married Black soldiers without realizing that they would be relegated to live in a Black community where there was a great deal of prejudice. So when they came over here and some would marry a caucasian who had probably only about a fourth or fifth grade education whom the southerners would describe as a poor white and would be subject to abuse after coming over here. So there was no other person up here in

northern California, a lawyer who was bilingual who was willing to take these cases. So the International Institute, various Japanese social service agencies, the consulate general of Japan, I got plenty of referrals. And I handled many, many of these cases.

Q. So you kept very busy and worked up in the firm and became a partner I gather.

A. Yeah I became a partner with George Vons. Tom Buckley had left that firm and in the last years that I was with George Vons for a very short period a third lawyer came in, Lionel Wilson, who later became a superior court judge and mayor of Oakland.

Q. What led you to leave that firm and to strike out on your own?

A. Well, I didn't see much future for growth in staying down in West Oakland and I had an opportunity to get some space, sharing an office with two lawyers who were practicing in downtown Oakland, Tom Richardson and John C. Hulahan, Hulahan later became mayor of Oakland. And they asked me to come up and join them and that we would share office expenses. It was tough to tell Mr. Vons that I wanted to leave. It took me about I guess 8 months after I got the offer to move downtown before I could break the news to Mr. Vons. We had been together very closely for 7 years and he gave me a chance to start, but he gave me his blessings and that was it.

Q. So then after you moved downtown the nature of your practice began to change?

A. Yes it had already started to change, but it changed. I think the big change came in 1958 when I was requested by Japan Airlines to become their legal advisor on labor relations because a union had formed in Honolulu of the mechanics and the people who handle the baggage. This was the first time a Japanese company was confronted with an American union, albeit a very small one at that time. And I also put together a merger of two food companies mainly importing Japanese food, which was kind of a challenging job for me anyway because I wasn't used to mergers, tax free mergers and so forth. So I think in 1958, at least the latter part of '58 the practice took a turn for the better, at least as far as income was concerned.

Q. Your income, how had it been during the time with Vons & Buckley?

A. Well, it was adequate but not outstanding.

Q. But now you were beginning to get clients with deeper pockets and this moved on to other Japanese firms operating in the United States.

A. Well, you know, a company like Japan Airlines sounds like its a glamorous--

Tape 1, Side 2

JAL was only flying from--the only international route to the United States it had was a right to fly to San Francisco and

there were only 4 flights a week in a used Douglas DC 6b airplane which had a full capacity, a full capacity could only carry 60 passengers so that JAL, the company was very, very small, struggling to get started, to survive. But I had the satisfaction of watching it grow in the 20 to 25 years that I've represented them. So JAL didn't have very deep pockets.

Q. Then what other companies sought your services?

A. The company that's now known as JFC International, which is an acronym of Japan Food Corporation, which today is a subsidiary of Kikkoman and we do the work for the Kikkoman's sales unit in the United States. Kikkoman has two subsidiaries here, one that manufactures the soy sauce at Falworth, Wisconsin, that's called Kikkoman's Foods and Kikkoman International is based in San Francisco, which distributes the soy sauce. We've represented them since the late '50s. And we have represented a lot of the flower growers, the major flower growers in California. And then I've sort of been the legal adviser to the consulate general of Japan at San Francisco I guess since about 1953, right after the consulate was established here.

Q. That must have provided some interesting associations and things to do over the years.

A. Well the first assignment that I got was to defend a seaman who was booked for murder in San Francisco, a Japanese victim. It was a case that I negotiated a settlement with.

It was Cecil Poole, who's now sitting on the court of appeals. He was then the chief deputy under the district attorney, who was Pat Brown. So I think probably one of the most interesting cases I had was the first case that was assigned to me.

Q. Has the consulate required a lot of legal service over the years?

A. It varies, I mean, you know, I think it's less and less now than it was in the early years because in the early years they would want me to make arrangements for visiting judges, visiting prosecutors or visiting court clerks to visit their counterparts in Northern California such as Alameda County or San Francisco, and then every once in awhile you'd get a request that they would like to meet with one or more of the justices of the Supreme Court of California to discuss certain cases. I had a request from the consulate on a very short notice that the Attorney General of Japan was on his return to Japan, stopping for only a day or two in San Francisco and he wanted to visit the warden of San Quentin and see the death chamber. And of course in those cases the job was a lot easier than people anticipated because all I had to say was I'm calling on behalf of the Consulate General of Japan and the doors would fly open. If I were calling on my own I--but now the staff at the consulate is well enough coordinated and sophisticated they can make their own appointments and things like that. And

then I've had to do some research on California law for the benefit of the foreign office, such as what were the requirements under California law for the admission to the bar of foreign lawyers. And I think this was at a period of time when American lawyers were seeking to break down the doors to have free access to practicing law in Japan. And then I get cases which are referred by the consulate on certain heirship problems that arise in Japan, and these are cases I handle on a private basis or where somebody has come over here without any insurance and buys an automobile, a student, and is at fault, gets involved in a serious accident, in 3 or 4 instances involving fatalities, and I've had to handle those cases.

Q. You spoke of making arrangements for visitors. One of the instances where our paths crossed, remember was we both sat on a committee that was making plans for the visit of the emperor to San Francisco, but you may have been acting for the Japan Society rather than the consulate.

A. Oh I was acting for Japan Society at that time. I made the arrangements for the donation of a very fine gift that the Japan Society presented to the emperor, which was a ceramic sculpture done by a very famous, world famous sculptor who had his works in the White House because Betty Ford has picked up one of them and then his stuff was also in Buckingham Palace, so Japan Society was very happy to get Mr. Vanruckafeld's sculpture Vacaro. The artist was a client of

mine so it was very easy to twist his arm because he wanted the honor of having his works now displayed in the White House, Buckingham Palace, and the Imperial Palace. I don't know what the Japanese imperial household does with gifts like that but at least we presented it to the emperor.

Q. What year was that? I don't remember.

A. I think it was 1975. I know that there was a very, very heavy rain from the airport to downtown San Francisco on the day that the emperor arrived. Dinner, I think, was on the following day.

Q. So during this time I gather you also continued some work in immigration.

A. Oh yes, I started work in immigration law in working out the visa petitions for bringing in the war brides because the Japanese had been excluded from becoming immigrants from 1924 to December 1952, but there was an exception made around 1948 by special legislation for women who married American soldiers, Japanese women who married American soldiers. So that was how I got started in the immigration field. Of course handling the expatriation problem of those who were stuck that I've already mentioned.

Q. You've mentioned sort of three types of practice here, business practice, immigration and nationality work, and miscellaneous things on behalf of the consulate. How would you say those sort of divided up in terms of percentage of your time over the years?

A. Well I would say that today immigration and nationality problems probably takes about 60 percent of my time. I spend about 10 to 15 percent of my time handling this end, that is the U.S. end, of heirship problems where the ancestors have left property in Japan and these have a number of collateral issues of adverse possession etc. by the other relatives in Japan, and the rest of it I suppose I've my fingers where there are other lawyers in the office who specialize for example in estate planning and small business matters because I have a partner who does nothing but handling the business clients and I have another lawyer who works on a half time basis who does the estate planning and the probate that's in the office. So it's kind of hard to put percentages and the percentages have changed. The percentages I'm guessing at now are the current percentages.

Q. How many lawyers do you have in your office now?

A. Well we have, including myself, four and a half. It's a very, very small office.

Q. So as you look back at it do you feel it's been satisfying or a challenging practice over the years?

A. I think so. I've had a great deal of personal satisfaction, a sense of fulfillment that I practiced in a very interesting time. I'm not so sure though that I would want to be an entry level lawyer going into the market in the way practice is going today.

Q. Why do you say that?

A. Well I think that it's clear from the self criticism that's even in the journals, both in magazines and in legal newspapers and also the criticism for example if you're talking about the large law offices there was a great growth in the '80s and everything was bottom line oriented and the breakup of a lot of firms where there's no longer the loyalty and it's almost like professional sports where you're going after the super stars, the rain makers and the good litigators and so forth and so on. It's a sort of a bidding war. That's one aspect of it, and also I've had enough exposure even in a small office in Oakland I've had a little more exposure than other lawyers who might be similarly situated as I would have in access to what goes on in other, pretty much the broad spectrum of what's going on in law, and if you're a bright kid from one of the leading law schools and you're recruited at a fairly substantial starting salary you get some horror stories about you've got to bill out 22, 23 hundred hours, and these are billable hours a year, which gives you almost no time, you're a burnout. That's on one end or it. Now on the other end what about is there room for lawyers to start for themselves and the answer is yes and no. But it's much more difficult to come right out of law school and hang out your shingle. So much specialization now, so many rules. Law has become much more complicated. Domestic relations used to be simple but now no fault and so forth and so on, domestic relations is no longer simple. Criminal law

is an extension of constitutional law. If you read the criminal cases there are all sorts of attacks on how the police have handled things and the rules of evidence. I wouldn't mind all the challenges, the intellectual challenges. I think a lot of the criticism that the lawyers are very sensitive about they've brought upon themselves. There was a recent article I think in Business Week, I forgot, I think it was in Business Week that told about how the large corporations are cracking down on the billing practices of outside counsel, but this criticism has been going on for at least the last 3 or 4 years that I read about. I don't know, it isn't a question that the profession has been criticised or that it ranks lower in public esteem today than it did let's say 30 years ago, that's only one factor. And to put it in short terms, I just don't like what I see, but that's just my opinion. When people ask me aren't you disappointed none of your kids became a lawyer I says no, I says I never encouraged them one way or the other as far as their studies or what they were going to do with life. I says I'm kind of relieved that none of my kids became a lawyer.

Q. Well during your years as a lawyer were there associations with other lawyers or people on the bench or so on that you found particularly stimulating and rewarding?

A. Oh yes, many of them.

Q. You want to mention a couple in particular?

A. Well you know, I tried I think four of the nationality cases, which were all consolidated, and they were tried before a U.S. district judge whose name slips my mind now but he's from the Southern District of New York, and he was visiting out here. His grasp of the case, his ability to question the witness, he gave an oral opinion after taking these four different cases with four different issues under submission he retired to his chambers for not more than 20 minutes and delivered an oral opinion from the bench and when I read the opinion that was it. His opinion with almost no editing was the one that became the printed opinion, and when I mentioned this to other lawyers who had practiced in New York and they says--oh his name was Edward Weinfeld, and although I only met him once he left an indelible impression upon me. The other judge that I admired was T.W. Harris, who was the presiding judge of Alameda County Superior Court for 45 years. He was quite elderly and ran the Superior Court of Alameda County with an iron hand, but he was kind to entry level lawyers and especially to me because he worried when I started to practice law in 1947 that I might face hostility, acts of discrimination from other lawyers and maybe other judges. And he called me into chambers one day and he says is anybody giving you any trouble? I says no. I don't know what you mean. He says well, you know your folks were locked up, there's a lot of hostility against Japanese Americans, and I just don't want you to have any problems. I says I

don't have any. He says you see that door there, and he pointed to the door in chambers, he says even when it's shut it's always open to you. If you have any problems just come see me. Well, that was a real nice touch. It gave me a sense of security, but I never had to open the door to see T.W. Harris to make a complaint about other members of the bench and bar.

Q. Was there any way in which the fact that you were a Japanese American rather than a German descended American like myself or something else made a difference over the years?

A. I have never encountered it on a personal basis. I know it's there and I know also that--the one thing that I did learn, which is maybe a little digression, that you can't put labels and decide on the basis of labels such as liberals and conservatives as to who's going to be there to stand up and be counted at a time of need such as happened right after Pearl Harbor as far as the Nisei were concerned. There was a Pacific Coast Committee for Fair Play which was formed that put in full page ads asking for tolerance and patience and understanding and two of the leaders of the Pacific Coast Committee were Robert Gordon Sproul and Chester Rawl of the Chronicle, both republicans. I've had a person who was a democrat, self-styled liberal, a contributor to ACLU, founding member of the Berkeley Coop for buying food and stuff like that and when it came to a showdown, he let me down. He wondered why--that I might reconsider moving into

the Financial Center Building, which was downtown in 1954 because I would be the first non-white to move into that building. And yet the person who welcomed me was John Charles Holahan, who was a very conservative republican. What Holahan told me, he says I want you. You're a damn good lawyer, the judges like you, everybody respects you, and I need somebody like that to talk to in my office. So you gain not distrust but a degree of skepticism about the self-styled liberal is what I'm trying to say. And I've learned this and it was a bitter lesson, but I learned it right after Pearl Harbor. People who will stand up as a matter of principle--I'm reminded of the story of Paul St. Sure, he was a lawyer and his father was a federal judge, and Paul Santsure represented the Pacific Coast Shipowners and had to be negotiating with Harry Bridges at all times and yet when Harry Bridges was being tried for perjury on his naturalization and trying to be denaturalized, Paul Santsure, who was an arch republican, came and offered his services to be a volunteer witness as a character witness on behalf of Bridges. It could have been one of the turning points in the case. Santsure told me the story as to why he did it, and yet when they were talking about the loyalty oath for lawyers and the state bar, the board of governors was recommending that the state legislature pass that law during the height of the McCarthy era. Paul Santsure appeared before the bar committee board of governors, introduced himself and he says

look I don't practice law, I've been in labor relations for a number of years, you may not know me, but he says lest you question my credentials I want you to know that my father was a federal judge appointed by the most conservative of all the republican presidents, Calvin Coolidge. And then he said look, as far as I'm concerned lawyers take an oath to support the Constitution of the United States and that should be sufficient. No loyalty oath. There was another example and indirectly the example of Paul Santsure was very, very influential in my years of practice. I never had anything--no direct dealings with him. I'd see him occasionally because his Oakland office was on the same floor at one time as mine was.

Q. Well did you ever have to handle cases that you didn't particularly care for, that you'd rather not have had?

A. Well I don't know what you mean, you mean on the basis of an assigned case or a case that I happened to get into?

Q. That you happened to get into or something like that, well it could be an assigned case. Did you ever do any public defender type work?

A. No, I handled, in the early years of my practice I had to grab everything I could get ahold of and I handled about 4 or 5 felony cases that went to trial, but in those days it wasn't--you had plenty of time to prepare for filing a case and there wasn't the Miranda warnings or any of the exclusionary rules that you had to worry about. You just

went in and tried the case and did the best you could. Yes there have been some cases that I wish I had not gotten into and you learn over the years to screen those cases. It's where the client may not be psychotic but is on the verge of it. There is no way in the world that you can satisfy certain people. They're in the litigation and they want to keep it going forever and ever and ever and they shift the basis on which they're willing to accept a settlement. Always at the last minute he says well I think I've got it settled now to meet all of your conditions and of course those are very, very difficult. There are cases involving a person, the client may be paranoid or it could be a matter of personal safety also. But I've been able to manage those things and nowdays since I'm into a lot of years of my practice I can afford to be a little more selective and the question always is how to turn down the client politely but to cut your losses right there at the beginning. I think that's very important.

Q. I see in your notes here one type of case that we didn't talk about. It would have fitted in better a little ways back. The case is for the Japan Airlines involving a wrongful discharge of foreign airline captains. Do you want to say something about that?

A. Well Japan Airlines, almost since the beginning of flying international, has had to--they haven't had enough qualified captains, at the beginning captains, navigators, and

co-pilots and flight engineers. So over the years they have a deed to have a company called International Air Service Company furnish a portion of the captains, flight captains. The airline has grown so much and they don't have the military airforce. The U.S. airforce has a hugh number of pilots trained to do nothing but flying transports, supplies and so forth and so on, so these move into the commercial field so JAL has to train them. So in this particular case, there were 2 or 3 cases like this, the Internation Service Company called IASCO hires the pilots and contracts their services to Japan Airlines. And when IASCO layed off 3 of the pilots and not on the basis of seniority because there's no union with IASCO, they sued both IASCO and Japan Airlines and alleged that IASCO was an alter ego Japan Airlines and that it was a wrongful discharge, that they had the qualifications, etc. We were able to get a summary judgment in the district court before Judge Weigel, and later on appeal the summary judgment was affirmed by the Ninth Circuit Court of Appeals, which is very unusual because a summary judgment is very hard to get. You know if you allege any factual issues, but we had taken depositions and eliminated the factual issues.

Q. Was this judgment on the question of the relationship between the two companies or on the actual discharge of the people?

A. Well, on the grounds that after summarizing the depositions and the interrogatories and so forth and so on that on the

basis of the total record prior to trial that they didn't have evidence to sustain a judgment on any of the factual issues but that there were no more factual issues. The interesting thing was the attorney for the--I wrote to Japan Airlines with a great deal of confidence that this is the end rope. There are no constitutional issues and so forth, that this isn't the kind of a case that will ever get to the Supreme Court of the United States, and lo and behold it was during the summer break I got a petition for cert. and in support thereof you know what the plaintiffs' attorney alleged, this should be off the record, he said (blank)

Tape 2, Side 1

Q. Mas Yonemura being interviewed by Robert Schwantes on December 12, 1993. This is tape No. 2. Well, I was wondering about the nature of your practice and how it may have changed over the years. I know you've become quite an expert in immigration law, but what percentage of your practice or your time has really related to that in recent years or earlier? When did you really get into it?

A. Well I don't think it ever exceeded more than 60 maybe it peaked out at 70 percent of my time. And at 70 percent it would probably the equivalent of a full time practice for most lawers because I put in a little longer hours. The other work that I've done in recent years is taking care of the heirship claims of property left in Japan by lineal ancestors, and some of them go two or three generations up because the land evolves directly by laws of succession to the lineal descendants, whoever owned the land and sometimes the land is still registered in the name of a grandfather or a great grandfather, either paternal or maternal, usually paternal though.

Q. But there may be a number of descendants over here in the United States.

A. There may be a number of descendants over here and then are issues as to whether or not the relatives, some of them collateral who have looked after that land, may have a claim of adverse possession under the law. That is what we would

more commonly call squatter's rights, so there's some legal issues involved and also some of those cases are a little difficult to--sometimes have to settle because there are moral issues in the sense that somebody in Japan has taken care of the ancestral graves and so forth and feels that they have a moral claim to some of the property and so you usually work out a compromise on those. So that takes up a lot of my time now.

Q. In such cases it would be Japanese law that would prevail.

A. It would be Japanese law and then I have a very, very close working relationship with a lawyer in Tokyo with whom I've worked on a number of these cases, and we've always got 4 or 5 cases. As we conclude one, another case comes into the office, with variations on the theme of inheritance.

Q. Do those usually start here with people here seeking to claim their inheritance or is it a matter of people in Japan--

A. Many of these cases it not the heirs over here don't even know that they're heirs. What happens is that because the Japanese have an excellent family census system, the person who's anxious to settle this matter is in Japan usually initiates it by sending a letter and a power of attorney saying look I think I'm entitled to this land. If you'll sign this power of attorney and return it to me I'd appreciate it very much because you're still registered as a lineal descendant of the registered owner, who was your grandfather or whatever. In some situations the heirs will

sign it because that was carrying out the wishes of the parents, who are now deceased, or the grandparents, but in some instances--The other problem is that the land has gone up in value so much. In many of these instances what used to be a farm is now part of the city. It becomes subdivided for residential or something like this, which shoots up the land value and it's just human nature that if it was something that was considered worthless becomes valuable, everybody's eyes get much larger.

Q. Well in this field of immigration and land, property rights and so on have most of your clients been Japanese or you've worked with other Asians, with Hispanics or any other?

A. Well, in the immigration field I have a partner, Bob Baysure, who does a lot of immigration work. No we've covered almost every nationality, although as far as I'm concerned currently I'm probably handling more Japanese cases than other ethnic groups, although there was at one time where a large part of our practice involved the Iranians. The reason for it was during the Iranian hostage crisis there was some emergency regulations that ferreted out the Iranian students, of which there were a large number in the United States, who happened to be out of status and there were a lot of deportation proceedings commenced and so forth and so on. So there was sort of an emergency situation as far as Iranians. Then we've handled everything from political asylum to--well the whole spectrum of immigration law, which has gotten to be considerably more complicated by recent amendments.

Q. I see from your notes here that you've been very active in the work of the American Immigration Law Association. How big an organization is that and what sort of things does it do?

A. Well the American Immigration Lawyers Association has probably close to 4,000 members currently and spread throughout the country, and then we have a few overseas members, some from the United Kingdom and a few from Canada. It's very similar to any other bar association except it specializes in immigration and nationality issues. It puts out numerous publications. It keeps the members informed on any legislative changes, any significant regulatory changes, and it sponsors many continuing legal education, what we call CLE courses or seminars. And there's an adjunct to that, the American Immigration Lawyers Association and that's the American Immigration Law Foundation, and I've been very active since the inception of that. The foundation was created about 6 or 7 years ago.

Q. And what does it do that the association can't do?

A. Well the foundation handles through what we call the Legal Action Committee, we get involved in litigation. We may join other organizations in a significant case as amicus, and then we may challenge the regulations in a lawsuit, restrictive regulations of the Immigration and Naturalization Service, commonly referred to as INS. And then we are launching a program to keep the public better informed and to counteract

some of the misinformation that comes out from various organizations to get further restrictions on our immigration policy. And there are a number of other services rendered. It's a very active organization. It puts out a monthly journal covering significant changes in the law and regulations, as well as news about the organization. But its main function is to upgrade the practice of immigration and nationality law.

Q. And you're the chairman of that currently?

A. No, no I'm currently the chairman of the foundation, not the association.

Q. Well, are there things in the immigration and nationality laws that you would like to see changed either in the laws or the way they are applied?

A. There are things that I would like to see changed, but I don't think in the present atmosphere these changes are possible. I think the main focus that I have and the association has is to counteract some of the draconian, what I would call, legislation being proposed in Congress, including what I think is an absolutely bizarre suggestion by Governor Pete Wilson to put an amendment--to amend the fourteenth amendment which provides that all persons born in the United States is a citizen of the United States. Governor Wilson's proposal was that unless the child was born in the United States was born of parents who were either legal immigrants or citizens of United States. The fact that

the child was born in the United States to illegal immigrants would not be considered a U.S. citizen. Of course that would take a constitutional amendment. But I think that what we're getting now is an overreaction to--and historically there have been this sort of--right here in San Francisco as far as the Chinese were concerned around 1880 there were leading to the Exclusion Act. And on the Chinese things were just about as bad if not worse. But here I think the big difference is the target is a much broader target. It's not against any ethnic group particularly. But they're suggesting some very restrictive measures.

Q. Just what, out of the desire to reduce the amount of immigration, legal and illegal?

A. I think the principal focus right now is on the illegal, although it gets all mixed up in the releases by those for and against the proposed legislation. I think the polls indicate that our tranditional policy as far as bringing in legal immigrants from different countries, the majority still is in favor of it, although there are organizations that say that we ought to take a 3 year moratorium and not have anybody come into this country. We should just suspend all immigration to this country. I think the reaction primarily is on the illegals in the country and I think California has probably been hit the hardest, and within California I think Southern California has been the hardest. And when I say hit the hardest I mean in terms of the alleged drain for public services.

Q. Schools, welfare system and things like that.

A. They're not eligible for welfare but schools and then emergency health care and so forth and so on. And there's a tug-o-war as to whether or not there should be more direct reimbursement or coverage of some of these social service costs by the federal government. And I think it's going to be one of the main issues, that and crime, I don't mean to get into next year's election but in a gubernatorial election I think that's going to be--the focus is going to be on--immigration is one of the big issues.

Q. What has your experience been in dealing with the INS? Do you feel they are a good bureaucracy, work well?

A. Well I think some reforms that have been put in, procedural reforms, organizational reforms have made it much more efficient, but I think that the Immigration Service has two functions, which are somewhat contradictory. One is that it's the Immigration and Naturalization Service and the word "service" is in the title of the agency, but it's also given the responsibility of enforcing the immigration law, that is through the border patrol and through its investigation section within the service that it's given the assignment of protecting the borders, investigating, uncovering fraud, particularly marriage fraud cases. So it has both functions, and I think in recent years more of the allocation has gone towards the enforcement end rather than the service end. Also the Immigration Service I think probably is at the low

end of the totem pole in terms of budget, being able to get Congress to adequately give it funds sufficient to carry out its purposes because the old adage is aliens can't vote, so therefore the Immigration Service has always been sort of a stepchild. I think it has gotten a lot more respectability, a lot more clout in Congress, a lot more focus because the situation as far as asylees is concerned, one of the big issues aside from the illegal immigrants, of course, is the hue and cry about that the political asylum procedures and laws must be or should be changed.

Q. Have you had a number of cases in that area of proving the eligibility for political asylum?

A. I haven't done it on a focus or mass basis. I've handled a number of asylum cases for the Iranians when it was about the only defense you had if they were deportable. My partner, Bob Baysure, has handled probably most of the cases that the people from Afghanistan, and he's done a good job, quite successfully. I've handled--but I think most of my asylum cases were Iranians.

Q. Well then you say you spent 70 percent of your time on immigration.

A. I say at the most. I think right now I'm probably spending about 50 percent of my time on immigration matters.

Q. What occupies the other 50 percent?

A. Well I'm sort of the managing partner of a small law firm, but that takes some of my time and also, as I say, the work

that I'm doing on these Japanese heirship cases. And then there are other cases like probate cases that I've assigned out to another partner that I have to monitor, and I've been taking over recently some of the business client work for a partner who is quite ill right now, so it keeps me busy.

Q. You mentioned in your notes here that when you first started out with the Black firm in Oakland that you did divorce cases and maybe a wider range of things. Is that phased out of your practice or do you still do things like that?

A. Well I'll take an occasional divorce or what's known as dissolution of marriage case, but that would have to be a simple case not involving any dispute over property or spousal support or custody of children. When I was in West Oakland a lot of my time was defending the Black clients against collection agencies. I mean the money was owed but there had to be some means of settling the case for something less than the accrued balance. I mean the collection agency abuses when you stop to think about it today were very, very bad. Harrassment, they would threaten to--a lot of them worked for Southern Pacific and if they got 2 or 3 attachments against them the fellow would lose his job. I mean the employers were not sympathetic to having to go through the paperwork of sending money to the collection agency and figuring out exactly what under the law that was subject to the attachment. But I just did everything simply because you had to do it in order to survive. I handled some

felony cases and minor misdemeanor cases, but the law was much simpler in those days and today you cannot afford to be a jack of all trades. There have been too many changes, so that you have to focus probably on 2 or 3 subjects.

Q. Have you ever been involved with personal injury cases, which are I understand sometimes a lucrative thing to be working on.

A. Well I've handled a few of them, but here again occasionally when I get a case of a friend or a client who has been hurt that seeks counsel, I've referred it out and kept myself associated in the case. I don't just refer it out and forget about it because very often the attorney who's an experienced trial attorney in personal injury cases is not in his office a lot if he's tied up in trial and at least I can cover the client's needs in those periods of time. I've even been involved for a client in the defense of an antitrust case, which here again it was referred out. For Japan Airlines I handled all their labor negotiations and legal matters involvng U.S. unions and attempts to organize the workers in the U.S. for Japan Airlines for those who are not already unionized. I did that for about 20 years, which is under the Railway Labor Act and not under the National Labor Relations Act.

Q. You mention in your notes that you had also done work for other Japanese firms, Kikkoman and JFC International, Mitsubishi International, was that along the same lines of labor relations or different things.

A. No, no for Japan Food, which is now known as JFC International, which is a subsidiary of Kikkoman in Japan now, I put together the merger of a Japanese American food distributor, an importer, and a partnership and formed the company that's now known as Japan Food. I was a sole practitioner at that time and then I took over Kikkoman's work when it was a very small company in the late '50s, but my partner, Joey Asaki, has been handling those accounts. So at one time I was involved in work for what are now not small businesses but were small Japanese businesses, and here again in order to be corporate counsel you have to know the subject of taxes and there are a number of personnel problems that come up today that you have to be well advised on, so most of that work is now done by my partner.

Q. Well let's turn to the matter of other professional activities. You talked about your work in the American Immigration Lawyers Association and so on. How about your activities in the bar association and anything of that nature.

A. I served a two-year term back in the, I think it was in the late '60s or early '70s as a member of the board of the Alameda County Bar Association, and that's the only active role that I've had as far as the local bar association is concerned. My main focus has been with the American Immigration Lawyers Association. I was on the board of governors for 12 years and then when the foundation was

created, the foundation was created by 3 of us that were with the association, one New York lawyer, Bob Juceam, and Ira Kurzbam, and it was sort of a brain child of Bob Juceam's and we kicked it around for several years and finally kicked in enough to have the seed money to start the foundation because we couldn't get any money from the association to form the foundation. And it's grown to the point where we're handling some significant litigation. Also, I don't know under the tax law which of the two entities the AILA, the Lawyers Association or the foundation can do some limited lobbying, and we get grants also for specific projects. We've gotten grants from the Ford Foundation on many occasions.

Q. You mentioned the Continuing Education work that was done there. Have you been involved in other Continuing Education activities? Some years ago I got somewhat in contact with the people who were doing that here in the Bay Area because in the Asia Foundation we were bringing people in from Asian countries that was one of the things that they like to take a look at and learn something about because in most cases in the Asian countries they didn't have any programs really for continuing legal education.

A. Yes I've--I haven't done it in recent years, but in 6 or 7 years I lectured on various immigration topics assigned to me by the Practicing Law Institute. It was a large New York based Continuing Legal Education organization. I have also been a frequent panelist at the annual meetings of the

American Immigration Lawyers Association where I've submitted papers and participated in the programs set by that organization. And I've also been a lecturer at the CLE programs on immigration or nationality law put together by the International--I think it's International Law Section of the state bar of California. I think I participated in 2 or 3 of those projects. And there are other smaller projects which has nothing to do with CLE, but I've conducted workshops a community organization in San Francisco, in the Japanese/American community on subjects that are of interest to the newcomers from Japan, and by newcomers I mean those who come over here with green cards and those here as students or visitors.

Q. So again most of this has been in the area of immigration and nationality law. At any earlier point in your career did you yourself take advantage of or get benefit from Continuing Legal Education?

A. Oh yes, I mean I started to attend the courses that were given in criminal law and so forth in which the written material, mimeographed materials, there was no such thing as bound books and things like that, and they were very, very good. It was the latest, I mean you had the real leaders in their own respective subjects to lecture, one is Bernie Ritkin, who'd written the great treatise on all aspects of California law, substantive law and procedure. And we'd get the leading trial attorneys, who would lecture on various

aspects of how to try a case. Now of course Continuing Legal Education is mandatory. We have to go back to school and put in so many hours on various subjects that are assigned to us in order to retain our bar license.

Q. Your bar membership, so how much time does that take?

A. Well I think, I'm not sure but I was at the last end of the alphabet so I had to comply the first year, which was a third of the 36 hours, 12 hours. Then my next time that I have to pile up some credits, 36 hours including certain subjects which are mandatory, I don't have to do this--I've got 36 months to do it now. And then there's another group whose initials were from M to S or something like that, last names, they have to do 24 hours out of the 36 because they've only had 2 years to prepare for it. And the group A to M or something like this, it'll be next year, but they have to show that they've got 36 hours. It's sort of an overlapping thing by name they've divided it. I think it's a good thing myself.

Q. Even for someone like yourself who's fairly specialized?

A. Oh yes because there are things that we have to take courses in legal ethics, that's mandatory and I think it's mandatory also in office management and also on substance abuse. I think those 3 subjects are mandatory and I think you have to put in a specific number of hours on those subjects. And then another thing that you have to remember is that even if I'm specialized, to advise, for example, a business client on

whether or he should get a green card, you may have to advise him on certain tax consequences of becoming a legal permanent resident of the United States, which may have an adverse effect if he's got a lot of assets abroad. And in those cases I'm not a tax expert but you should have sufficient knowledge to at least advise him to get some tax advice, assuming that he has a choice between retaining some sort of a non-immigrant status in the United States as opposed to getting a green card. In some instances I've advised a client that he can have all the benefits that he wants about staying in the United States whenever he wants to come here with a certain non-immigrant visa classification and at the same time it gives him a better chance to avoid some of the severe tax consequences in case he dies and so forth and so on. So when you say that if you're a specialist why it's necessary to take these other courses, the answer is simple, you can take a lot of other optional hours in the field of immigration and nationality law, but you're always interested in something else, and no specialist is worth a damn if that's all he knows because a specialization is an arbitrary manmade thing for convenience. The law isn't divided you know. No it's a good thing. I hated it at the beginning but having attended a few courses I realize that a brush-up doesn't hurt.

Q. Well before turning to your communities, are there any other things in relation to the nature of your practice, your

experience in this practice that you'd like to get on record here?

A. No except to summarize that I've enjoyed the practice and I feel that law gives you an opportunity to--especially the immigration practice, it's pretty hard to put your client in a worse shape than he is when he comes in to see you. In other words, you can do some good, and in many instances you can give a person a choice of either continuing to remain in this country or to leave with all stigma removed, such as in a deportation case you win the deportation case the client can either stay here or go back to the country from which he came. And I think there's a great deal of reward, if you are successful in a tough case, to see a family reunited which had been separated because of facts and aspects of the immigration law.

Q. So would you recommend that people coming out of law school consider this line of specialization?

A. Well they can consider it but I think that one of the problems right now is incoming lawyers and entry level lawyers in the immigration field is this, I think ideally before getting into any specialty that some general practice can be very useful because if you're just a specialist that's all you know and you may not know some of the collateral consequences. Your advice may be correct as far as immigration law is concerned but there may be some collateral consequences of your advice. I think that going from a generalist to a specialist is an ideal situation.

Q. That's sort of the course you followed.

A. Well it's a course I followed by accident not by design. I don't know whether I would advise somebody to say you ought to go into the immigration practice. It's not one that is the most financially rewarding, and there are a few lawyers and a few law firms who have done quite well financially because they've represented larger companies that bring in foreign professionals and so forth and so on in large numbers, technicians and so forth, but outside of the business aspect of immigration law you really have to hustle to make a living because you're representing individuals, and most aliens are not that well endowed with money. So you have to handle these things in volume and to build up a practice it's now difficult for graduates of law school to find positions in established immigration law offices.

Q. How did your practice build up? By just accrued reputation and word of mouth and so on?

A. I suppose so. I think it's mainly referrals and some public exposure I suppose while you're getting acquainted with your own ethnic community through organizations that you've helped. I've never been much of a joiner. I've been told that I should have joined some service clubs and so forth and so on because it's a good source of business and that's probably correct. But I have sort of an aversion to clubs and organizations.

Q. Well that sort of brings us to subject of your community activities. What things have you done along that line?

A. Well I was active in the Japanese/American Citizens League in East Bay in the early years, but I had certain philosophical differences with the national leadership back in the 1960s so I left it, so I haven't done anything.

Q. Do you want to expand on that or just leave it there, you had philosophical differences?

A. I would rather leave it there because--I did some work in the early years with Wayne Collins, who represented the people who had renounced their U.S. citizenship and regaining that. That I think was one of the most satisfying pro bono work that I ever did, and also in handling the nationality cases for the restoration of nationality the government deem expatriated themselves. These were the Nisei who were caught in Japan during the war.

Q. And you said they said before that this included two of your sisters.

A. No not my sisters but two sisters who were deemed expatriated because they accepted jobs as school teachers in wartime Japan, I mean just grammar school teachers. I guess as far as community organizations are concerned in the early years I was active with the Northern California--I was the only Nisei member of the Northern California Japanese Chamber of Commerce. And in the early years also I was very active with the Japan Society of San Francisco. Other than that I haven't really participated much on community affairs. I've done a lot of pro bono things for individuals but not as a member of an organization.

Q. And you say you've not been involved in political activities of a party nature.

A. No. I've been to a few fund raisers, and I've been turned off. You see the same people there and everybody's all hyped up. I sort of lay back lately, and I'll make certain contributions but I'm very selective.

Q. Do you think that Japanese/Americans as a whole--

Tape 2, Side 2

Because I think the tape went off there. I had asked whether you thought the Japanese/Americans were maybe less active politically and you said I believe that may once have been so but not now.

A. Well I don't know what you mean by polically active. I think there is a great deal more of self consciousness in getting the community support for candidates of Japanese ancestry number one, and number two I think it has always been--if you took a survey I think you would find that at least 80 percent of those elegible to vote have always consistently voted in the Japanese/American community. The percentage may be even higher.

Q. Responsible citizens as far as voting is concerned.

A. I think as a result, particularly of select committee appointed under the Carter administration on the root causes of the interment of the Japanese that it gave an opportunity to those where in the words of Bill Husakawa, who wrote Nisei the Quiet Americans, or something like that. It showed in

the testimony that was given when the committee held hearings here and in San Francisco and Los Angeles and the various other places, what was most surprising was the eloquent and forceful testimony given by the most quiet members of the Japanese/American community, which kind of questions Husakawa's observation that we are compliant and we always wanted to obey the law even if it was unjust, which was a JACL line at the time of the evacuation. So we're not on soap boxes and there's a lot more political consciousness because there was a lawsuit recently filed of all things by a staff worker, a woman of Japanese ancestry who had been on the staff at the American Friends Service Committee, and she filed a sexual harrassment claim which she lost on a technicality on the grounds that--I forgot what it was but she rallied a lot of community support.

Q. This was working in an organization that is allowadly liberal?

A. Oh yeah, and one of the ironies was that she was suing an organization that befriended the Japanese/Americans, you know, she's not making a racial claim, she was making a claim as a woman. But whether she won the case or not the point was that she got community wide support. I think now, yes there is a great deal more consciousness, not necessarily to appoint or to elect a person just because he's an Asian or a Japanese/American Asian. I think there's a lot more political consciousness. I think one of the other things

that I've observed, in the judicial appointments in California since the first one was made of a Japanese/American by Pat Brown--

Q. Who was the first one?

A. Well the first one was either John Isso or Steven Tamura. These were the first two, and then Wayne Kanamoto down in San Jose, who was appointed to municipal court, John Isso was appointed a commissioner and then later elevated, I think by Warren, to be a municipal court judge. Tamura was appointed directly from county counsel of Orange County. He was the chief civil attorney for Orange County. He went directly to the superior court. I think that there's a disproportionate number, in terms of population, of Japanese/Americans now on the bench. They certainly don't outnumber the Blacks or Hispanics but I say in terms of the population. And I think part of that is the result in the early days that as long as it was politically the time to appoint a minority, the Asians were the first ones to be put right next to the front windows.

Q. They were there, they were well educated, well respected as a whole.

A. Well let me put it this way. In the hierarchy of racial stereotypes the Asians were not at the bottom of the rung. It was just like when I was first invited to join the Oakland Athletic Club and later the Elks and later the Athenian Now Club in Oakland in the order mentioned, I declined each time

and I says you guys must be going broke. Sure enough, every one of them went broke, first the Oakland Athletic Club, the Elks Club is no long there, and the Athenian Now Club recently folded up. You know, they'll let the Jews in first, then they'll let the Asians in, and then they'll let the Blacks in. By the time they let the Blacks in the thing is almost bankrupt. As people say well, they wanted me to be the guinea pig in all these situations because I was well known in the Alameda County Bar, allegedly I was respected by the judges and other attorneys, but if the membership committee blackballed me they could put the issue right to them as to that it would have to be on the basis of race, and these self-styled liberals who were supporting this movement wanted to use me as a guinea pig. And I said you just picked out the wrong guy because I'm not a joiner. If I were free, white, and 21 I wouldn't join any of these organizations, and that's it.

Q. One thing I wanted to ask you sort of on behalf of this oral history project of the Ninth Circuit Historical Society was for names of other lawyers or judges of Japanese ancestry that you think would be good to be interviewed and to be part of this data bank that they're building up.

A. Well my ex-partner, Ken Kawaechi, he's a sansei, he's on the superior court of Alameda County and I think he'd be readily available. He's been very active outside of his daily duties in the court he organized one of the first courses on

Asian/American law, an undergraduate course at Cal. And he was one of the founders of the Asian law caucus, which is now the major community based organization helping, well funded. So Ken would be ideal I think. There's another superior court judge down in Alamcda County. His name is, I forgot his first name, is Judge Takei, I had his card here the other day, but I think Ken would probably be ideal. We don't have anybody on the appellate bench. I think the rest of the judges are down in Southern California.

Q. And the bar?

A. Well, in the bar I think there's a lot of choices. Let me take a raincheck on it and drop you a line on it.

Q. Okay, sure, sure. Well, before we stop recording here today and it always will be possible to add to this if we wanted to, is there anything of a specific or of a general nature that you'd like to add here. You certainly described your career and your practice very well and indicated that you got a lot of satisfaction from it. You said none of your own children have gone into law but if there were intelligent young men or women of your acquaintance would you be recommending that he or she become a lawyer today?

A. I would rather not play God, or try to play God, to advise somebody on a career choice. I have my own ideas about, you know, and my own criticism as to what lawyering has come to at this time, but I can't predict the future. I think there a lot of reforms that are needed within the profession. I

mean there's a great deal of concern about lawyer bashing and what to do about it. And there's a great deal of--some of the people just feel that the lawyer bashing by the public is unfair. I don't agree with that. I think some of the criticism of the profession in the broad sense is valid. The philosophical question is today is whether or not the law is a profession or is it a business, and even the large firms have--it certainly is a business as far as they're concerned, bottom line in terms of downsizing or bringing in other lawyers from other firms, a lot of things have changed. I'm not saying that the old system was perfect, but the other concern is that you used to be able to at least take another lawyer's word over the telephone even if you hadn't met. I don't think you can do that today. I think if you make a slip in certain types of litigation with certain types of lawyers and there's nothing wrong, they're within their legal rights, but there's very little open extension of courtesies between lawyers. In the old days you could call up and say I'm Mas Yonemura can you keep my time open for at least 30 days, an extra 30 days to file an answer I'm a little busy? Well sure, that's okay. You write a little confirming letter and you wouldn't need them to sign it. Don't do that today. So it's kind of a rounabout answer. I don't know what I would advise somebody who came to me and says I'm thinking about going to law school. Now if a person is just going to go to law school that's fine. I'd say look it will give you

a lot of choices. You don't necessarily have to be a lawyer but it's fantastic training for anything you may want to go into. And there are a lot of dropouts from law, I mean people who have left good positions in the law, feeling that they can't get the satisfaction out of it that they should have in the way law is practiced today. So I don't know what the answer to that is either. Every once in awhile you read about these stories of associates, some partners of large offices who just say look, I want to do something else.

Q. Well of course that happens in any profession.

A. In any profession, that's right. But I think there's more of it now. I'm not saying that it's gotten to any--I think there's a lot more soul searching, maybe only a very, very small percentage but it's there, of those who come out of the closet with their--but I think all professions are going through that, the medical profession in a different way because of health care reforms and so forth and so on. I think in all the professions, but I think particularly law because law touches everybody in all aspects of life. You don't have to be sick to need a lawyer.

Q. (Laugh) Well, shall we leave it on that note.

A. Yeah, I think so.