

U.S. District Judge Robert M. Takasugi at Los Angeles addressed the Asian Law Student Association of Loyola Law School on Nov. 23. The topic is such importance to JACL from both a constitutional and educational points that his remarks will be carried in tote in two parts.

As the academic quarters and semesters total into years, decades and generations and the desperate cries of educational racism in America are reduced to echoes and then to whispers, many members of the minority have predicted that Bakke v. Regents of the University of California will find refuge in the company of the many decisions which have placed minority-Americans in positions of frustra-

SPECIAL REPORT

tion and oppression in a schizophrenic society which rhetorically mandates equality and provides various "escape hatches" to serve as exceptions to this decree when the march for ethnic progress becomes a threat upon those who man the controls and the tension of the many decisions which have placed minority-Americans in positions of frustra-

For those whose vision and wisdom terminate upon the examination and analysis of supportive law or case precedence to buttress Bakke, the minority voice seeks a

Pardon for Iva 'shows strength of our system'

WASHINGTON, D.C.—In a letter to President Gerald Ford, Dec. 1 Rep. Spark Matsunaga (D-Hawaii) urged that early approval be given to the petition for a Presidential Pardon submitted by Ms. Iva Toguri.

Ms. Toguri is a "victim of the World War II 'Tokyo Rose' legend," Matsunaga told the President. He said she should be pardoned in order that she may regain her most cherished possession—her U.S. citizenship.

Iva Toguri, born in the United States on July 4, 1916, was stranded in Japan, where she was visiting a sick aunt, at the beginning of World War II. She was one of several women broadcasters known to U.S. troops as "Tokyo Rose" during the war. Upon her return to the U.S. after the war ended, she was tried and convicted of treason.

"Unlike many others who chose a course of personal convenience, some of whom were later to testify against her, Matsunaga said, she was not a traitor. She was a woman who came home to the United States after the war ended," Matsunaga said. "Her return to the United States apparently was motivated by two basic reasons: First, she loved her country, and second, she sincerely believed in her 'Orphan Ann' broadcasts which were beamed to American troops in the Pacific from Tokyo, that she was aiding, not hindering, America's war effort."

Despite recent reports that some prosecution witnesses testified falsely during her 1949 trial, Ms. Toguri remains remarkably composed, Matsunaga said. Released from prison after serving six years and two months of her ten-year sentence, and paying a \$10,000 fine, she is not seeking a retrial of her case, but only wants to regain her U.S. citizenship.

"A Presidential Pardon, if granted to Ms. Toguri, would demonstrate the strength of our system—that its checks and balances insure justice in every possible case," Matsunaga said. "It would serve as a symbolic act on the part of our Government that our system's greatness lies in its flexibility to show kindness and tolerance toward those whom it once prosecuted."

FROM JACL NATIONAL HEADQUARTERS COMMUNICATIONS

Committee for Iva Toguri

San Francisco JACL's position on the presidential pardon for Iva Toguri d'Aquino and support for restoration of her American citizenship were communicated by national president James F. Murakami in his letter of Nov. 29 to President Ford.

Mention was made of the journalists who reviewed the circumstances of the 1949 trial, indicating Toguri had been a victim of a myth "and should not have been convicted." Further, Mr. Ford was reminded, "It is now known that she was convicted on testimony which was perjured which was known by the Justice Department."

Ford was also reminded of

By ROBERT M. TAKASUGI
Judge, U.S. District Court

call for a deeper human dimension. For these reasons, other than in academia, it is truly as important to learn what Bakke really decides as much as what that decision purports to stand for and how the educational and institutional societies react to the latter image of Bakke?

The case in brief . . .

Allan Bakke, a Caucasian, was denied admission to the University upon his application in 1973 and resubmission in 1974. The entering class had 100 places each year of which 16 were available to be filled through the special admissions program in dispute.

Bakke filed a complaint seeking mandatory, injunctive, and declaratory relief to compel the University to admit him. He alleged that he was the victim of "invidious discrimination because of his race" in violation of the equal protection clause of the Fourteenth Amendment. He further alleged that he was qualified for admission, that the sole reason he was rejected was that he was Caucasian, and that the University's special admission program led to the admission of minority applicants less qualified to study medicine than himself and other non-minority applicants not selected.

The defendant University filed a cross-complaint seeking a determination that its special admission program was valid. It contended that the major aims of the program were to integrate the student body and the profession and to improve medical care given to minority communities. The University asserted that absent this program almost no minorities would gain admission and the school and the profession would remain essentially segregated. It further contended that the minority community receives inadequate medical attention and that minorities admitted through this program, all of whom have stated a desire to serve their communities, would be more likely to return to their communities and upgrade the care they receive.

Admissions process . . .

The University used two separate committees in its admissions process. Applicants who identified themselves as "disadvantaged" (in 1973) or "minority" (in 1974 after a revised form was adopted) were screened by a special committee while those not so classified went through the regular admissions committee.

Even though whites also applied for the special program, all those admitted since the inception of the program have been minority group members, with non-minorities being barred from participation in the special program.

Applicants considered under the regular admissions program who had a college grade point average (GPA) below 2.5 were summarily rejected. Those above 2.5 were not automatically interviewed, but those who were interviewed were afterwards given a combined numerical rating based on an assessment of their application, letters of recommendation, interview, test scores and GPA, motivation, character, and the type and locale of the practice they said they would enter after school.

The special program however did not automatically reject those with under 2.5 GPA. Some minorities were admitted in 1973 and 1974 with GPA lower than 2.5 and with combined numerical rating 20 to 30 points below Bakke (based on a possible top score of 500 in 1973) and 600 in 1974). The special committee presented its recommendations to the regular committee which made the actual determinations on admissions.

Court's conclusion . . .

After reviewing the admissions policy, the court concluded at least some applicants were denied admission solely because they were not minorities. The Court agreed that the minority students accepted were qualified, but said that Bakke was claiming that he

was better qualified.

The Court framed the issue as follows: "... whether a special admission program which benefits disadvantaged minority students who apply for admission to the medical school of the University of California at Davis... offends the Constitutional rights of better qualified applicants denied admissions because they are not identified with a minority."

As soon as the Court articulated the issue in its initial paragraph, the entire case was decided because inherent in the statement of the issue is the assumption that disadvantaged minority students were less qualified than the applicants for the Regular Admissions Program. This assumption is the single most painful illusion which preoccupied the Court.

A full elaboration is intended later in my presentation. In support of its holding, the California Supreme Court provided the following reasons and guidelines for its ruling:

The Special Program Classification by race, is not, in and of itself, constitutionally infirm where it is designed to benefit rather than disable minorities provided the excluded majority is not totally deprived. The Court, in announcing this rule of law found support in the school integration and right to vote cases.

Noting that the classification established by the University was by race, the Court rejected the "rational basis" test and thereupon relied upon Korematsu and Hirabayashi and invoked the "close scrutiny" test. As a footnote, I might add that those cases verbalized the test but somehow fell short of applying it to the facts before it in the Korematsu and Hirabayashi decisions.

Requisite elements . . .

The Bakke court then set out the two requisite elements, to wit: the "Compelling State Interest" and a "close scrutiny" of the classification to determine whether reasonable means were utilized to alleviate the burden on those excluded from the classification. The burden to prove such elements was placed on the University. As the "close scrutiny" test was invoked, the Court indicated that despite its historical origin, the 14th Amendment legislated its applicability to "all persons."

The minority opinion argued that the purposes of the Special Admissions Program offered by the University was to remedy discrimination facing the minority student rather than to discriminate invidiously against the majority applicant.

In support of its claim of "Compelling State Interest" the University presented the following reasons for promulgating the Special Admissions Program:

1. Integrate the school and the profession.
2. Integrate the level of consciousness of the dire need of medical care in the minority communities.

Apparently no evidence was presented at the trial regarding the minority population in California and the number of minority doctors practicing here. The majority refers to the minority racial preference decisions in the employment cases and declares that in all such cases the preference was justified because of past discriminatory practices of the employer in these Title VII cases under the Civil Rights Act of 1964. If the traditional criteria for admission does not establish any relevant connections with one's performance as a doctor, i.e., the absence of "job-relatedness," Title VII violations may become viable.

Bakke case 'may not be proper' for High Court judicial review

The Bakke Court did not feel that the token representation of minorities in medical school prior to the introduction of the Special Admissions Program was an indication of discrimination in the past. Of course, considering their posture in the case, neither Bakke nor the University would allege and did wish to prove past discrimination. For these and other reasons the Bakke case may not be the proper one for judicial review by the High Court.

The amici argued discrimination by the University for its reliance upon the GPA and test scores on the basis that such criteria were culturally biased and not an accurate gauge of the ability of the student when he enters his profession. This fact would have satisfied the Bakke Court in justifying racial preference due to past discrimination. The majority opinion in Bakke dismissed the issue on the basis that such matters were not raised at the trial level. This may be the next case for the California Supreme Court.

The Court did concede that differing health problems face minorities and stated: "We do not doubt that amelioration of this societal infirmity is one of the most urgent tasks of the medical school and the medical profession". The Court then indicated that disadvantaged applicants of all races

must be eligible for sympathetic consideration.

The Court then delved into a discussion of the "rigid scrutiny" test pertaining to the means used to achieve the racial preference classification to determine whether every reasonable measure was taken to lessen the detriment to the majority student excluded from the classification.

The Bakke Court responded by suggesting to the University a more reasonable means to achieve its purpose, assuming arguendo that the University did establish a "Compelling State Interest". The Court suggested the aggressive promotion of remedial schooling to the disadvantaged who evidence talent in the medical area. Of course, the Court was suggesting this remedial program not for the immediate applicant but for the student in the primary, secondary, or undergraduate level.

Guidelines suggested . . .

The other suggestion under the guise of a more reasonable means of achieving the University's goal, was to have the University increase its admission by expanding the school. Pragmatically, this is a "pie in the sky". Unless the University can accommodate every applicant, the program cannot survive the Bakke attack.

Under this "reasonable means" standard, the Court concluded and the University conceded that there is no assurance that minority medical doctors will practice in the minority communities. The Court did admit its likelihood however. Statistics to support this proposition were not introduced in trial. The Court then ventured into its arena of suggestions and provided the following guidelines to assure that medical doctors will practice in the minority communities:

1. Examine the applicant's past concern for minorities;
2. Expression of future intent;
3. Provide sensitivity and awareness classes regarding the need of medical care in the minority communities.

It appears that the Special Admissions Program considered these factors and provided evidence of it at the trial level. An elaborate discussion of the role of the Special Admissions Committee and its concern and emphasis upon the socio-economic background of the applicant was apparently not convincingly presented at the trial level.

The Bakke Court did set forth guidelines that the University may look into the disadvantaged student to determine whether the low GPA and test scores truly and accurately reflect his or her ability. It euphemistically referred to this suggestion as the "Flexible Admissions Standards". No attempt was made to discuss the factors or qualifications necessary to become a competent doctor. Here the Supreme Court is suggesting the possibility that the University's criteria may not be as relevant as claimed. In continuing its reasoning, the majority opinion declared that the Special Admissions Program, though advantageous to few, is not worth the cost to racial disharmony.

Finally, the Court discussed the counter-productivity which results where once the preference is established, the minority will not wish to relinquish it and, thus, it would be very difficult to abolish the program.

In its final argument, the majority pounced on the 16 openings as a racial quota and stamped the "red herring" into oblivion.

Summary . . .

In essence, the Court presented a disturbingly strange paradox in decreeing that the University can properly pursue the goal of increased racial minority participation

JACCC appeal within Nikkei groups expands

By LEE RUTTLE
Special PC Correspondent

LOS ANGELES—Face-to-face meetings with Japanese American groups by campaigners for the Japanese American Cultural and Community Center, which have been held since summer, "is the best way to explain in detail what the JACCC is all about and answer questions people may have," according to Soichi Fukui, JACCC board member and chairman of the Japanese community fund drive, and Kango Kunita, consultant.

Member associations in the So. Calif. Gardeners Federation are currently being contacted.

"We hope to speak before many other community groups, including JACL chapters, Optimists and other service groups, professional and church groups," Fukui added, "to explain the importance of JACCC to Southern California."

News of occasional large donations to JACCC are encouraging, but they do not tell the whole story, Fukui said.

JACCC's plan includes a five-story office structure, which will house community and cultural groups. The JACL and Pacific Citizen are among community groups planning to move in there.

NISEI BUSINESSMEN JOIN MAYOR TO RETAIN WHOLESALE MARKET

LOS ANGELES—A \$4.2 million federal grant proposal to convert the 92-acre Chell Air Force Base, which has been declared government surplus, to a new wholesale produce market area is being opposed by top Los Angeles city officials.

Nisei produce merchants in the so-called Seventh St. and Ninth St. markets are also generally opposed to the plan.

Mayor Tom Bradley has requested the City Council for authority to file "the strongest possible objections" to the intent and purposes of the Bell application. The council compiled, 12-0 on a motion by Councilman Gilbert Lindsay.

Bradley feared funding the project would result in the closure of the Los Angeles produce and flower markets, situated in 34-block area south of Little Tokyo. The Bell plan would also serve to undermine the new Economic Development Agency grant which Los Angeles has received to establish a modern produce and flower city in the Central City, Bradley added.

Toshio Miura and Jimmy Yokohama of the L.A. Vegetable Exchange said "over half of the dealers are against the move, including practically all the Nisei businessmen." However,

BLIND NISEI VETERAN OF KOREAN WAR CITED

CHICAGO — The 52 Assn., which has served the needs of hospitalized veterans for more than 30 years, honored Stephen H. Miyagawa as the "Veteran of the Year" Dec. 8 at Binjo's restaurant. He lost his sight from combat injuries in the Korean war.

A native of Hawaii and a rifleman with the 24th Infantry Division, he returned to finish his schooling and graduated from Roosevelt University with a B.A. in sociology. Since 1952, he has been visiting blind veterans at the Veterans Administration Center at Hines, telling them how they too can overcome their disabilities. He is employed as an X-ray darkroom technician at Edgewater Hospital, married and has two children.

should survive Bakke because these factors can be used by all races, though they fall on minorities with much greater frequency.

While the Court does admit that minority medical students might be more likely than nonminorities to return to their communities to practice, it felt that there are better ways to determine who will practice there than simply looking on race. Nor does the Court feel that it is proper to provide black doctors for blacks, Jewish doctors for Jews, and so on. But the Court states that this doesn't mean that a minority applicant who has done service to his community cannot be given special consideration if he states his preference to practice there.

Active recruitment . . .

The other suggestion by the Court—of active recruitment—is also open to question. Many schools and student caucuses now actively recruit minorities. An increase under the Bakke approach probably would lead to a greater increase in disadvantaged whites applying, which is commend-

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Wendy's trial underway

By LEE RUTTLE
Special PC Correspondent

OAKLAND, Calif. — Proceedings in the trial of Wendy Yoshimura on charges of possession of explosives began here on Monday, Nov. 29, with the reinstatement of charge #3 in the original indictment, to wit:

Penal Code 12312: "Every person who possesses any substance or any combination of substances or materials with intent to make any destructive device or any explosives without first obtaining a valid permit... is guilty of a felony, and is punishable by imprisonment in the state prison not exceeding 15 years." This section of the 4-count indictment had been deleted by Judge Lionel Wilson, but his decision was overturned by the State Supreme Court.

Following this announcement by the court Wendy was arraigned on this count and pleaded guilty. The jury then filed into court at 10:10 a.m. and were given further instructions by the judge, Judge Martin N. Pulich summed up his instructions by stating that this trial is "a quiet search for the truth."

Opening Statement

Deputy Dist. Attorney Jeffrey Horner in his opening statement presented a scathing recital of accusations and



Opening statement is being made by Deputy district attorney to jury hearing the case of Wendy Yoshimura in Dept. 5, Alameda County Superior Court.

attempts at dramatic innuendos which lasted until noon. He said "The People will present many witnesses and material evidence pointing to the guilt of the defendant." He reminded the jury that it took five years to bring this case to trial and it is hard to pin down exactly when it all began. He also took pains to emphasize the numerous aliases and changes of address attributed to Wendy dating back to 1970.

Horner then described how Michael Grablanowski, manager of the apartment and garage at 2575 Le Conte Ave., Berkeley, was first approached by a young Asian girl who gave the name of Ann Wong, and how he rented a garage to her for storage purposes. He gave her a combination padlock which he later discovered to have been changed.

The alleged Miss Wong returned to him in January 1972 to renew the lease. Horner admitted that Grablanowski was only 87 percent certain that Ann Wong was the same person as Wendy Yoshimura when shown the police photos.

He further admitted that Grablanowski's memory today is "probably even more clouded."

The prosecutor's statement then continued with a detailed description of how the apartment house manager discovered gasoline and other suspicious items in the garage on March 30, 1972 and notified the police.

After the police investigated the contents of the garage a stake-out was posted which resulted in the arrest of William Brandt, Michael Bortin and Paul Rubenstein who, upon being indicted (Wendy's name included in the same indictment) by the grand jury the three men pleaded guilty and were sentenced.

Meanwhile, Wendy fled the apartment she and Brandt occupied at 330 Athol St., Oakland, and remained a fugitive for three and a half years.

Inside the Garage

In Horner's description of the garage contents he characterized it as being "a vast amount of explosives that could blow that neighborhood to the ground." He then described one of the various weapons found as being, "an AK-47 Chinese Communist-made machine gun with tremendous fire power and judged to be one of the finest and most awesome weapons used throughout the Communist world and by terrorists."

Horner went on to tell of the many books and pieces of literature also found which, in his word, "was a vast library on guerrilla warfare."

LOS ANGELES DINNER TO HONOR LATE WAYNE COLLINS AND SON

LOS ANGELES — The late Wayne Collins, who defended Iva Toguri in the 1949 "Tokyo Rose" trial and who almost single-handedly won back U.S. citizenship for the co-called "renunciants" in WRA camps following World War II, will be honored along with his son, Wayne Collins, Jr., at a dinner to be held here in January.

The Wayne M. Collins Appreciation Dinner is set for Saturday, Jan. 8, in the main hall of the Japanese Retirement Home, 325 S. Boyle Ave., under co-sponsorship of the Pacific Southwest JACL District Council and the E.O. 9068 Committee, which is working for Evacuation reparations.

Collins, Jr., who filed a formal petition for a Presidential pardon for Ms. Toguri Nov. 17, is carrying on the work of his father, who died July 16 two years ago en route from Honolulu to San Francisco, where he lived and practiced.

A friend and champion of Japanese American rights during a period when it was distinctly unpopular cause, Collins, Sr., as attorney for the American Civil Liberties Union of Northern California, challenged the legality of the 1942 Evacuation of Japanese Americans, taking the Hiraabayashi and Korematsu cases up to the U.S. Supreme Court.

He was also among attorneys in the Endo case, which resulted in Nisei being released from WRA detention camps.

After the war, when thou-

Highlight of Horner's diatribe was when he said the police found plans, maps, photos and other material which indicated that an elaborate plot was being hatched to either assassinate or kidnap Robert McNamara, then U.S. Secretary of Defense, and/or members of his entire family at their winter vacation home at Aspen, Colorado.

Defense Attorney Larson vehemently protested since there was no proof that his client (Wendy) had taken part in such a plot nor even had knowledge of it. At this point the judge again reminded the jury that such remarks made in an opening statement are not to be considered as evidence. Horner's accusations also included such items as a San Francisco Social register and lists of names of prominent Bay Area people which he broadly hinted were "targets of these terrorists." Larson also objected to many more of Horner's innuendoes and was sustained by Judge Pulich.

Horner's lengthy statement concluded with a recital of Wendy's association with other notorious fugitives, Patty Hearst and William and Emily Harris of the SLA, and their ultimate arrest on September 18, 1975 in San Francisco.

Judge's Comment

Judge Pulich closed the morning session by telling the jury that many of Mr. Horner's remarks were improper and that Wendy is on trial for one thing only. He said, "I will not admit evidence to show bad character or anything not related to the indictment."

At a brief noon press conference Defense Attorney Larson said that in his own statement he would point out many prejudicial remarks made by Horner and that he would explain the circumstances of Wendy's flight which he claims is not consistent with guilt. When asked if Wendy will testify he replied "maybe."

Defense's Opening Statement

The next day, in contrast to Horner's often disjointed and attempted dramatics, James Larson presented a low-key and well-organized opening statement. In less than two hours he gave plausible explanations for all of Wendy's movements and actions which appeared to have taken most of the sting out of his opponent's exaggeration. The jury listened intently and took notes and seemed to be more

Continued on Next Page

Minneapolis hosts visit by Ambassador

MINNEAPOLIS—Japan America Society of Minnesota hosted a retirement dinner Nov. 9 for Arnulf Ueland, who served for 10 years as honorary Consul General of Japan at Minneapolis, and the appointment of W. Soren Egekvist, president of the Society. Ambassador Fumihiko Togo was the principal speaker. Consul General Kiyoshi Sumiya at Chicago was also welcomed at the Sheraton-Ritz event. Mrs. Kimi Hara, long-time JACLer, was dinner chairman.

1976 Holiday Issue Boxscore

1975: DISPLAY ADS—5,318 inches

Alameda	168	Sacramento	180
Arizona	9	Salinas Valley	338
Ark Vt	3	San Luis	128
Berkeley	338	San Diego	338
Chicago	84	San Fern	338
Cincinnati	4	San Fran	420
Clovis	9	Sanger	36
Del Basin	16	San Jose	168
Delano	22	Seattle	210
Detroit	23	Sonoma City	12
DTLA	188	Stockton	188
East L.A.	232	Tri-Valley	7
Eden T.	94	Twin Cities	10
Fowler	2	Wash. D.C.	56
Fresno	168	Watsonville	168
Gardena	168	West L.A.	168
Hollywood	3		
Hooner	3	PNWDC	3
Liv-Mer	128	NC-WNDC	36
Monterey	168	CCDC	6
New York	34	PSWDC	20
Omaha	7	Midway DC	4
Pasadena	30	Eastern DC	4
Phila	12		
Puyallup V	94	PC Adv	322
Redley	232	Office	127
Riverside	12		
Dec. 3 Total:	5,545		

1975: ONE-LINERS—320

Boise Vt	11	Riverside	27
Cincinnati	22	San Ben City	30
Cortez	16	Twinn City	28
Delano	18	Tri-Valley	5
Detroit	48	Twin Cities	33
Gre-Trou	34	Ven-Clive	19
Omaha	36	White River	28
Pasadena	30		
Phila	38		
Dec. Total:	474		

Where to Get More Information About JACL

Headquarters, 1785 Sutter St., San Francisco 94115 (415-921-5225)
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Central Calif.: 912 F St., Fresno 93706 (209-237-4006)
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Midwest: 5415 N. Clark St., Chicago 60640 (312-728-7170)
Washington: 1730 Rhode Island Ave. NW, WDC 20036 (202-223-1240)

PC Letterbox

Wendy Yoshimura Trial

Editor:

I seriously question the wisdom of the Nikkei community giving monetary and other support to Wendy Yoshimura, and I am wholeheartedly opposed to the manner in which Pacific Citizen is abusing its freedom by lionizing her simply because she happens to be of Japanese ancestry.

Whether Wendy is found innocent or guilty under the law does not resolve her moral responsibility. Morality is of a higher order than law, and belonging to groups dedicated to violence and the destruction of society is immoral. So far as I know, there is no question of her having belonged to such a group, but rather if there is sufficient admissible evidence to convict her of having participated in illegal acts. The rhetoric in her letter (PC Nov. 19) smacks of ideological cant (e.g., how truly difficult it is for a "Third World person" to get a fair trial, etc.). As I read the letter, I wondered how many members of JACL are foolish enough to be deluded, and I assume the number to be small.

International terrorism is a scourge of our age. It is a plague bacillus whose contagion has spread through all relatively free societies where the terrorists' goal is to help bring down these societies in order that a totalitarian regime can be installed. Wendy's group has its counterpart in the Red Army of Japan, two of whose members opened fire with machine guns on an airport full of people in Israel a few years ago. Another comparable group is the Baader-Meinhof gang of West Germany. There is not a relatively free society in the world where these international terrorists are not operating and planning destruction.

The fact that Wendy is of Japanese ancestry is hardly an excuse for JACL and PC support. People attracted to these gangs come from every social and racial background, but the majority are from affluent, middle-class homes.

Every social group has its share of deviants, sociopathic personalities, and criminals, but only a highly self-destructive social unit will glorify such types. Americans of Japanese descent have, in the past, produced a very small percentage of such types, chiefly because of the mores carried over from their Oriental heritage which placed a heavy burden of responsibility on each member not to bring shame upon his or her family and his or her ethnic group. Regrettably, JACL is trading this honorable heritage for the worst kind of trendy moral flaccidity. As part of this malaise, many Japanese Americans no longer seem to have the moral nerve to stand up for what they know in their own hearts to be right, and often this extends to not being able to even stand up to their own children. Instead they become like corks in the ocean carried by the waves of the prevailing trendiness.

The older members of JACL have in their past lives faced far different problems than those shaping the Sansei and Yonsei. The chief problem of the Sansei and Yonsei is the "ordeal of affluence." For the most part, these young people have been provided with every material advantage, and too many of them, like young middle-class Amer-

icans generally, grew up having been given everything except values.

The best thing JACL could do for Wendy is let her fully accept responsibility for her own behavior. If she has any intrinsic good in her, it would then be possible for her in time to grow into a mature and responsible person. Under the present circumstances, how is she to learn that the fault is not in her stars but in herself? Even her letter reveals a person who is failing to take stock of herself to understand how she arrived in her present condition, but shows a person who is putting the onus on others and "society" while asking Pacific Citizen readers to join her in solidarity.

Another salutary effect would be achieved if Wendy could go and live in one of her Marxist paradises for a few years. Then, like Eldridge Cleaver, she would be cured and genuinely thankful for her country, despite its imperfections, and realize that her primary responsibility be to perfect herself.

The Wendy Yoshimura case reveals not only the problems of Wendy, but even more the problems of a morally confused JACL.

CAROL J. SUZUKI
Bellevue, Neb.

Bakke—

Continued from Front Page

able. The Court's suggestion for remedial schooling, presumably prior to admission, is a longer term and more elusive solution. As indicated before, it doesn't solve the problem of what to do now. Also, combined with publicized decline in minority admissions, much of the incentive to participate in such remedial programs could be destroyed.

Besides the constitutional attacks that could be made on Bakke in the U.S. Supreme Court as suggested by the dissent and by the University's contentions, the California Supreme Court did seem to leave open two factual questions for possible future litigation before them. It is possible that a showing of past discrimination by a school (in the form of use of racially biased standards or tests, low admissions figures, and in some cases actual conscious discrimination) could be made and thus the Court might allow "remedial" measures to be taken. Neither the defendant University nor the plaintiff Bakke obviously had an interest in making such a showing here. It might also be possible to make a factual showing that minority doctors, for example, are so much more likely to serve members of their community, at least as a significant part of their practice, than are nonminorities, that a racial classification here would even meet the Court's least onerous or best available method approach. Again, it appears no such showing was attempted.

To Be Concluded

25 Years Ago

In the PC, Dec. 15, 1951

Dec. 8—Bay area drama critics praise Nisei Experimental Group (of Los Angeles) presentation in San Francisco and Oakland of Hiroshi Kashiwagi's plays, "The Plums Can Wait" and "Kiyoko." Dec. 12—Jury acquits San Francisco evacuee (Yujiro Sakuragi, 69) first defendant in claims fraud case.

THE FIRST NISEI VFW TRI-POSTS New Year's Eve Party

Friday, Dec. 31
Sheraton-Universal Hotel
In Universal City

Buffet Dinner, 8 p.m. • Dancing with Henry Miranda's Band, 9:30 p.m. to 1:30 a.m. • Free Favors • Renew old Acquaintances and Make New Friends • Reservations for Table of 10 Available • Tickets on Sale by Members of Nisei VFW Posts of East Los Angeles, Los Angeles and San Fernando Valley at \$17.50 per Person.

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FROM THE FRYING PAN: Bill Hosokawa

Clearing Odds & Ends

Denver, Colo.
There was an interesting sentence at the end of an Associated Press sports story out of Toronto the other day. It said: "Another Grey Cup record set was the 79-yard punt return for a touchdown by Ottawa rookie Bill Hatanaka." The story had to do with Ottawa's last-minute 23-20 victory over Saskatchewan in the Canadian Football League's version of the Superbowl. Ni/Sansei football filberts, of which there are many, would enjoy reading about Bill Hatanaka. The only Bill Hatanaka I know is a Denverite in the visual aids business. . . . Another recent news item reported the election of Ki Sun Cho as president of the Korean Association of Colorado which is described as an organization "of about 6,000 persons." An authoritative source suggests that if all the men, women and children were counted, 5,000 would be a closer figure, a total which brings the Korean population close to that of the Japanese in Colorado. . . .

And a United Press International report out of Honolulu says that visitors from Japan are responsible for a substantial increase in crime in Hawaii—not as the investigators but as the victims. Scores of Japanese tourists are mugged, robbed and robbed by teams of prostitutes who specialize in victimizing these unsuspecting people. The story says Honolulu police estimate that only about one in ten or twenty victims report the attacks because they are ashamed of loss of face. And the girls, knowing this, are emboldened because they figure the odds against being caught are in their favor. . . .

The column a few weeks ago about Nisei and Sansei problems with the Japanese language resulted in a couple of contributions to the lore from readers. George Inagaki of Los Angeles recalls hearing about some American Occupation officials who visited an isolated area of southern Japan soon after the surrender when he was stationed in Tokyo. One of the officials professed to know enough of the Japanese language so that an interpreter was unnecessary. After the ritual of bowing and hand-shaking, this officer launched

into a speech in which he explained that he and the other Americans were General MacArthur's advisers, using the word "komon." Perhaps he had a drawing southern accent, but he pronounced "komon" as "koomon" with a long "o" which is a perfectly good word for an inelegant but necessary part of the anatomy having to do with the digestive system.

The other story comes from George Mitsuo Kaneko, the Denver accountant, who knows a lot more about figures and tax laws than the Japanese language. Last summer in Tokyo he wanted to get to the subway station but discovered to his consternation that he didn't know the proper words, which as any Japanese schoolboy knows, is "chikatsesu no eki," meaning "station of the underground steel (road)." What Kaneko said to the taxi driver broke him up completely because this foreigner with the Japanese face said he wished to go to the "tsuchi no shita ni ugoku kisha ga tomaru tokoro," which literally means "stopping place of the train that moves under the ground." Kaneko's mangled Japanese must have brightened the cabbie's day and given him something to talk about when he joined the boys for a beer after his shift, but it worked out okay because he delivered his passenger right to the "chikatsesu no eki." . . .

And on a more somber note, a recent Newsweek Magazine item reports the suicide rate in Japan has dropped dramatically. Not too long ago students who flunked university entrance examinations, star-crossed lovers and bosses of bankrupt business firms were doing away with themselves routinely. Well, there are more jobs now so that rejected students can find fulfillment in work, parental authority is weakening and if young people can't get permission to marry they can still live together, and business failures are commonplace enough not to require atonement by suicide. The highest rate of suicide, Newsweek says, is in the over-65 age group. Japanese oldsters have lost the status they once enjoyed, and it would seem the recent JACL conference on the problems of aging among the Nisei was a timely and valuable development.

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JACL directory

ST. LOUIS, Mo.—The St. Louis JACL published a 1976 directory of its membership. Ted Jungenberg, editor, was assisted by:
Lynn Shimamoto, Nikki Hara, Anna Peterson, Mae Marshall and Linda Peterson.



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Chapter Pulse

December Events

● **Stockton JACL's** Christmas potluck party and Keiro-ka will be held Dec. 12 at the Buddhist Temple social hall with Ruby Dobana in charge. Senior citizens over age 70 were guests at the dinner.

● **Puyallup Valley JACL's** annual mochiutsuki will be held Dec. 18, from 9:30 a.m. at the Tacoma Buddhist Church. Lunch will be served to those who help. Orders at \$1 per pound are being accepted by: Tacoma—Junko Vasquez, Mary Ikeda; Fife—Miyo Uchiyama, Fumi Tanabe; Sumner—Orting—Tom Shigio; Olympia—Tamiko Ward. Meantime, the Olympia area members held a potluck dinner Dec. 3 at St. Michael's Catholic Church. They also hall from neighboring towns of Lacey, Yelm, Chehalis and Shelton.

● **Milwaukee JACL's** Christmas Dec. 12 at International Institute will be one of "Laughs, Smiles and Giggles" for kiddies as Edythe Non-mensen of the Waukesha Public Library will be reading fairy tales for the young and young at heart. Young adults will make their debut as performers in song, dance and instruments.

1977 officers

FREMONT JACL

William Sakakura, pres; Dr. Wesley Murakami (mem), Ted Sato (actv); Dr. Walter Hashimoto (pub-PR); vps: Yutaka Handa, treas; Carmen Johnson, rec sec; Yoko Young, cor sec; Keith Yagi, hist; Ted Inouye, 1000 Club; Yosh Fujiwara, ways and means; Moss Kishiyama, Wallace Terui, del; Dr. Francis Amenishi, Bill Johnson, Dr. Joe Kimura, Dr. Shoji Kimura, Frank Kasama, bd mem.

FLORIN JACL

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FOWLER JACL

Jitsuo Otani, pres; Joe Yoshimura, Rev. Kogyo Miura, vp; Fred Honda, sec; Dr. George Miyake, cor sec; Wilson Kawaguchi, treas; Thomas Toyama, pub; Kimbhiro Sera, Joe Yokomi, del; Kazuo Hi-yama, Issel Proj.

● **PUYALLUP VALLEY JACL**
Gregory Mizukami, pres; Tom Shigio, vp; Hana Yoshida, Junko Vasquez (Tacoma); Dr. Sam Uchiyama (Fife); Kanemitsu Ito (Puyallup-Sumner-Orting); Tamiko Ward (Olympia), area vps; Emi Sonekawa, cor sec; George Kishida, treas; Robert Mizukami, 1000 Club; George Murakami, del.

ST. LOUIS JAYS

Ray Rikimaru, pres; Remy Hasegawa, Sue Hirabayashi, vp; Dee Dee Sueoka, treas; Rich Den, sec-hist; Linda Ishibashi, Linda Peterson, adv.

● **SAN GABRIEL VALLEY JACL**
Sam Imal, pres; Ted Hamachi, vp; Jane Sarara, sec; Fumi Kiyari, cor sec; Margaret Takemoto, treas; Kizo Hiramine, Roy Iketani, Tohi Ito, Kazuo Mayemura, Marvel Miyata, Frank Nomura, Yosh Sogio, Ed Tokeshi, Tomi Tokushige, Helen Watanabe, bd mem.

● **SONOMA COUNTY JAYS**
Jeff Otani, Mike Uyeda, co-ch; Carolyn Kameoka, treas; Alan Murakami, Les Sunada, rec sec; Les-ley Murakami, cor sec; Ron Taji, hist.

● **TULARE COUNTY JACL**
Ben Hayakawa, pres; Dr. Kazuo Arima, vp; Ko Hiraayashi, treas; Jack Sumida, sec; Shig Kitchuchi, cor sec; Kay Hada, pat pres; dist chmn—John Yakura, Visalia; Shig Yamamoto, Dinuba; Ray Hara, Orosi; Tom Tsuboi, Lindsay.

● **WATSONVILLE JACL**
Paul Hura, pres; Wally Osato, Tomio Tada, vp; Rose Terasaki, treas; Esther Ura, rec sec; Michi Noda, Sayo Mine, cor sec; Robert K. Yamamoto, aud; Mike Makakawa, Larry Shikuma, youth; Ben Umeda, del; Tom Tao, 1000 Club.

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Support Christmas Cheer

Calendar

Dec. 11 (Saturday)
Eden Township—Christmas party.
St. Louis—Christmas party.
West Valley—Christmas party.
Grace Methodist Church, 8 p.m.
Dec. 12 (Sunday)
Gresham-Troutdale—Christmas party.
Milwaukee—Christmas party.
International Institute.
Philadelphia—Christmas party.
Dec. 13 (Monday)
Alameda—Mig. Buena Vista Methodist Church, 7:30 p.m.
Las Vegas—Mig. Osaka Restaurant, 8 p.m.
Dec. 15 (Wednesday)
PSWDC—Educ Comm Mtg. JACL Office, 7:30 p.m.
Dec. 16 (Saturday)
Puyallup Valley—Mochitsuki, Tacoma Buddhist Church, 9:30 a.m.
Dec. 19 (Sunday)
San Mateo—Mochitsuki, Central Park, 1 p.m.
Dec. 20 (Monday)
Portland—Ed Mtg. JACL Office, 7:30 p.m.
Dec. 26 (Sunday)
Las Vegas—Mochitsuki, Heritage Square clubhouse.
Dec. 27 (Monday)
Selanoco—Mochitsuki, Free Methodist Church, Anaheim.
Tulare County—Gen Mtg. Visalia Buddhist Church, 7 p.m.
Dec. 31 (Friday)
Alameda-Berkeley—Contra Costa—New Year's Eve dance, El Cerrito Comm Ctr, 9 p.m.
1977—Jan. 1 (Saturday)
St. Louis—Japanese potluck social.

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pus the caroling and visit from Santa. The 4 o'clock party will feature family potluck, being coordinated by Lucille Miyazaki, Helen Jonokuchi and Lorraine Heinemeyer. Each family was also reminded to bring canned goods for the baskets to be distributed to the needy.

● **Las Vegas JACL** meets at the Sahara Restaurant, 4205 W. Sahara on Monday, Dec. 13, 8 p.m., to elect new officers and develop a 1977 program calendar. It was announced by George Goto, who has declined to run for a third term. The chapter is also thinking

of hosting either a National or District JACL Convention in the future. The chapter mochiutsuki will be held on Dec. 26 at the Heritage Square clubhouse. Etsuko Kiernan and Dan Kashiwamura are co-ordinating the pre-orders of mochi.

● **West Valley JACL's** Christmas potluck party for members and their families will be held Dec. 11, 6 p.m. at Grace Methodist Church. Oriental dishes from Indian curry to Chinese steamed fish and Japanese sashimi are being arranged. For the youngsters under 10,

Santa Claus will present each speaker at the annual cultural heritage meeting Nov. 6 at American University. She is notifying members of the type of food to be brought.

At the chapter mochiutsuki Dec. 4, some 600 pounds of rice was steamed and pounded into rice cakes (mochi).

November Events

● **Washington, D.C. JACL** presented Anne Yonemura, Smithsonian fellowship and as Japanese art specialist at the

Freer Art Gallery, as its guest speaker at the annual cultural heritage meeting Nov. 6 at American University. She spoke on art of the Japanese screen.

A graduate of Wellesley College with a master's in Japanese art and archeology from Princeton, she has presented a number of exhibits at the Princeton University Museum and has studied art in Tokyo and Kyoto under a Smithsonian fellowship and as a Fulbright scholar.

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As such—in a real sense—He will have to be our National Advocate and Spokesman - So—as part of his constituency—We need to show him our full-hearted support and cooperation.

Unfortunately, to be reelected last November 2, Norm had to borrow a substantial sum of money to meet his last-minute campaign expenses.

Since we did not conduct a full-scale national fund raising campaign in his behalf of this past summer—

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Political Notes

Honolulu
Kathy Hesbilo, 28, of Maui who ran for the 1st Congressional District seat as a third-party independent for Godly Government candidate and polled a surprising 23,699 votes, says the next time she tries for public office, it may be as a Democrat. She grew up in Alana Haina Valley on Oahu, graduated from Kalamoi High in 1967. She is married to Larry Olsen and they have three children.

Names in the News

In a valedictory to Koji Arizuchi, who passed away Oct. 23, PC book reviewer Allan Beckman who has known him over the past 40 years thought the trial was a "frame-up". Beckman refers to the 1951 Smith Act trial where the court found the late Arizuchi guilty of conspiring against the U.S. but later acquitted for procedural reasons. The chief accuser, Paul Crouch, was later exposed as a perjurer. Co-defendants John and Aiko Reinecke of the same trial were exonerated by the Board of Education Oct. 7 after a four-month investigation. The couple were fired from their teaching jobs in 1948 because of their alleged Communist leanings and dedication to the labor movement in Hawaii. The board has expressed regrets over the dismissal, and will recommend financial restitution when the Legislature reconvenes. Reinecke, 72, and retired, taught English and social studies at Farrington High. Mrs. Reinecke, semi-retired, was a 4th grade teacher at Waiakala School. Their current problems cover only their teaching before being suspended without pay in November, 1947. Reinecke is currently editing a piddin and Creole newsletter and researching the Hawaii labor movement.

The controversial appointment of Kenji Nagao as administrator of Kona Hospital last spring has been cleared by a state ethics commission investigation. The appointment was protested by the community and 11 doctors from the area because state officials had used their influence. The officials implicated were State Health Director George Yuen and four legislators: State Sen. Stanley Hara, State Reps. Herbert Segawa, Minoru Inaba and Charles Uchida. The commission found the State Ethics Code they had nothing more than give recommendations on behalf of Nagao.

Education

In a surprise move, the UH board of regents confirmed Dr. Philip Ige, 51, as provost at Leeward Community College and Dr. David C. Furell, associate professor of East Asian history, dean of Hilo College. Ige is a past provost at Kapiolani Community College and until recently an assistant superintendent with DOE.

NVC essay awards

SEATTLE—The Nisei Veterans Committee has awarded U.S. saving bonds totaling \$1,800 to six winners competing in the Bicentennial Essay Contest, which was open to all Nisei. Top \$300 bonds went to:

Teresa Watanabe, UW sophomore and Aylen Nomura, Franklin High senior.

Local Scene

Los Angeles

Service for Asian American Youth (SAAY) has moved to 1106 W. Olympic Blvd., 2nd Floor (742-6817) from its previous base in Chinatown. Continuation high school, martial arts, and work-experience programs are among the SAAY programs.

UCLA Extension continues to offer a variety of courses for the Japanese community with the winter quarter starting.

PC's People

Government

Morris Lake (Wash.) Mayor Don Swanson reappointed Ed Yamamoto, Pacific Northwest JACL District governor, to its Interacial Commission. The city council confirmed the appointment recently. The Sacramento Bee understood Rep. Patsy Mink is among seven being considered by Pres-elect Jimmy Carter for a post in the Interior Department. Los Angeles Mayor Tom Bradley appointed Motomu Nakasako to the mayor's Veterans Advisory Committee, which is currently headed by Bob Leung, active with the California Council for Veterans Affairs. Nakasako is a past commander of the Nisei VFW Post 9078, American Legion Post 321 and the 442nd Assn. Oxnard Mayor Dr. Tsugio Kato told the city council last month he wants Oxnard's reputation as the "most crime-ridden city in Ventura County" changed before the end of the year. A special task force to reduce crime in the street began working in mid-November but the problem appeared to be the police were short-handed, hence the detail has been working overtime.

Crime

Gross misdemeanor charges were filed against Seattle city purchasing agent Tom Terao for allegedly accepting free landscaping maintenance work from a Seattle firm holding a city license contract which the Nisei official administered. The Post-Intelligencer uncovered the story Sept. 9, which Terao has denied and is continuing to serve in his capacity.

3 Nisei VFW posts hosting Dec. 31 bash

LOS ANGELES—Three local Nisei VFW posts are co-sponsoring their first New Year's Eve together at the Sheraton-Universal Hotel with a buffet supper from 8 and the dance with Henry Miranda's band following from 9:30 till 1:30 a.m.

With "Getting to Know You" as the theme, the party follows a Japanese New Year tradition of renewing old acquaintances and making new friends. Tickets at \$17.50 per person includes supper, dance, favors and fun. Reservations for tables of 10 are being accepted by:

Los Angeles—Dave Monji, 289-1238; East Los Angeles—Joe Kawata, 283-3688; and San Fernando Valley—Yosh Kunitanga, 765-1472.

Members of the sponsoring organizations, Nisei VFW Post 9902 (East Los Angeles), Post 9938 (Los Angeles) and Post 4140 (San Fernando Valley), have tickets on sale.

The PC Observer

Size isn't everything. The whale is an endangered species, but the ant is doing fine.

ing in January. Matao Uwate's "Japanese Foods and Culture" meets at the new Nishi Hongwanji on Wednesdays, Jan. 5, Feb. 23, 7-10 p.m. with a \$70 fee and 1.8 credit unit. Courses in art history and analysis by Keiichi Kawana, brush painting by Hisashi Ohta and Japanese art by Dr. Donald McCallum of UCLA art dept. are also scheduled. For information, call 825-1328.

Gardena Buddhist Church Dan Group, 1517 W. 166th St., Gardena 90247, is selling its cookbook, "Itadakimasu" (\$5.75 ppd) of 480 recipes with a section of Japanese delicacies. Proceeds go toward the newly built classroom building.

San Francisco

United Japanese Community Services, Inc., 2012 Pine St. (563-8062), has started an Employment Service (563-8418) for newcomers from Japan, youth, the elderly and those in the middle years. A bilingual staff is being organized.

S.F.—East Bay

Issei members of Eden Japanese Senior Center served a potluck luncheon Dec. 9 with volunteer helpers as guests. The regular fourth Thursday meeting (Dec. 23) is being cancelled due to Christmas.

San Jose

Eighth annual YJA New Year's Eve dinner-dance will be held at the Hyatt House Mediterranean Room with the Hang Ten, Inc., providing the music. Table of ten reservations at \$32 per couple are being handled until Dec. 26 by: Dennis Mittle, 1388 Bing Dr. (257-1839); Gene Kinoshita, 1431 Johnson Ave. (255-8511).

The annual Japanese American Senior Service mochiutsuki will be held at the Buddhist Church Dec. 18-19. A number of Japanese shops and banks are taking pre-orders at \$1 per pound. Proceeds support senior citizen programs.

UNITED JAPANESE COMMUNITY SERVICES, INC.

FT. RILEY, Kan.—Memorial services were held Nov. 14 for the 77 German, Italian and Japanese prisoners of war buried at Fort Riley Cemetery. Former German naval officer, Heinrich Goldecke, one of the 68,000 PWs imprisoned here during WW2 who returned as an immigrant and lives nearby in Salina, chaired the service. The three Japanese PWs (Kazunori Makino, 32; Saburo Nakagawa, 27; and Sadamu Okada, 24) buried here had mutilated while patients in 1944 at Fitzsimons Army Hospital.

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Continued from Front Page

reached than they had been earlier while trying to follow Horner's tale of terrorism. Lats-n claimed that Wendy was totally unaware of what was stored in that garage other than her own personal effects and that on the night of March 30, 1972 she was asleep in her apartment on Athol Street from 4 to 5 miles away from the garage.

As for Wendy using a number of aliases, Larsen said he had been asked to do so by William Brandt because he was being investigated by the FBI as a draft dodger. He also stated that she and Brandt, although living together, led separate lives; her interests being mainly in art although she did take part in peaceful anti-war demonstrations while Brandt was engaged in militant actions.

At the afternoon session Prosecutor Horner wheeled in four large hand trucks plus numerous cartons of evidential material which literally cluttered the courtroom in front of the spectator rail. It was a "midable array which a me-morable remarked looked like a "garage sale". At one point when Horner had erected a large wooden easel for hold-

Deaths

Sadakazu Enomoto, 96, pioneer San Francisco Issei and flower grower, died Nov. 23. He came to the U.S. in 1899, founded a nursery in Redwood City and organized the California Flower Market in 1912. His sons William and John are continuing the nursery business.

The Rev. Ralph Smeltzer, 60, Washington representative of the Church of Brethren, died of heart attack May 20. He and his wife Mary Blocher, taught at Manzanar, then helped evacuees resettle during the war years in Chicago and Brooklyn. Postwar, he was cited by the Austrian government for humanitarian service, became director of peace and social education in 1953 and then to Washington in 1971 for his church.



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ing charts, Judge Pulich said "Please take that gallows out of here!"

First Witness

The prosecution's first witness was former Lt. Michael O'Keefe, Berkeley Police Dept., who methodically identified over 200 separate pieces of evidence which he and his associates had removed from the garage. The pile was so great that Horner often had difficulty finding certain items and several times stumbled over various pieces.

The evidence included crates of ammunition, containers of chemicals, bomb components, tools, pipes, rifles, one of which was fitted with a telescopic sight, shotguns, books, pieces of paper and finally a suit case of clothing and some of Wendy's art works and art supplies as well as a McCall magazine and a couple of copies of "The Sayings of Mao Tse Tung."

The identification of pieces of evidence continued through most of the morning of Dec. 2 at which time Jim Larsen began cross examination of the witness to determine certain details and to further verify the thoroughness of the investigation.

When it came to Wendy's art work Larsen handed each piece, drawings, prints, and designs to the jury which they examined carefully and were obviously impressed with the defendant's talent. The effect was to present an entirely different Wendy from the plotting, scheming terrorist which Horner had attempted to create in the minds of the jury.

Second Witness

Late that afternoon Horner called his second witness Sgt. M. W. Druquer, Berkeley Police Department Bomb Disposal technician. After being

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