# Hawaii Kotohira Jinsha Hawaii Dazaifu Tenmangu

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## **Chinowa for People &**

Animals, also members of the community of life, have co-existed with humans for tens of thousands of years.

That powerful and mutually beneficial bond continues today, with people and animals connecting in ways that are essential to the health and well-being of both.

In ancient Japan, animals were thought of as spiritual messengers of the deities and many legends and Japanese mythology revolve around animals, very often thought to be able to communicate with humans in some way. The fox is associated with Inari , doves with Hachiman, chickens with Amaterasu the Sun Goddess, the rat with Daikoku, deer with Kasuga Taisha of Nara, the ox with Dazaifu Tenmangu, boar with Go-ou Jinja of Kyoto, wolf with Mitsumine Jinja and the white snake with the deity Benten.

Passing through the large Chinowa made of ti leaves signifies purification, protection and a renewal of the spirit for the second half of the year. It is also meant to celebrate the relationship that exists between people and the animals that share this earth.

Many thanks to the shrine officers, volunteers, Niki Libarios of Hawaii Doggie Bakery for the donation of cookies, Bradley Pang of Oki Doki Andagi and Yasumi Gojo for sending PAWsitive energies to the animals with her healing touch.

#### View more photos at: www.flickr.com/kotohira-dazaifu

### MAHALO for your generous donations

Thomas & Linda Agawa **DK Restaurants Doughty Ohana** Bob Harada Hawai`i Doggie Bakery Kyoko Isa Elsie & Lorraine Kadota Elaine Komatsu James & Melba Kurashige Nick & Mayumi Kutchak Milton & Kathy Kwock Han Wei Lee Shinken & Marilyn Naitoh Craig & Diane Nishida Diane Ogasawara Amyh Okazaki

Bradley Pang Toshiyuki & Kumi Saegusa Akiko Sanai Momoko Sato Dale Yamamoto Steve & Nobue Yoshida Irwin & Renee Young

MAHALO to **Kai Igarashi** & **Karen Nishida** for flying in from Hilo to help us with the Chinowa event

MAHALO Bob Harada & Ivan Sugai for performing periodic maintenance on the shrine

#### **MAHALO** Volunteers

Cassie Carlyle Carl Estrada Debbie Estrada Alyssa Fujihara Jeff Fujioka Bryson Goda Yasumi Gojo Bob Harada Stacie Hata Kai Igarashi Arthur Isa Lorraine Kadota Odie Kepo'o Elaine Komatsu Galen Komatsu Karli Lawson Mike Lee Marilyn Naitoh Milena Naitoh Shinken Naitoh Craig Nishida Diane Nishida Diane Ogasawara Carole Omura Stuart Pang Nino Santos Naomi Teramoto Val Tsutsumi UH NICE Program



Hawai'i Doggie Bakery

Hawaii's original bakery for dogs! Founded in 1998

**MAHALO** Niki Libarios and Hawaii Doggie Bakery for their donation of Doggie cookies!!!



View photos at: www.flickr.com/kotohira-dazaifu

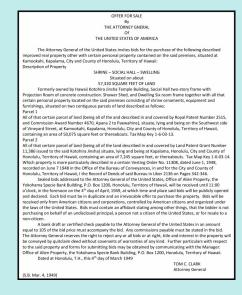
## Kotohira v. McGrath

**Kotohira v. McGrath** involved the seizure of Hawaii Kotohira Jinsha property by the federal government's Alien Property Custodian on June 8, 1948 and the subsequent attempt to sell the property on March 4, 1949, on the grounds that Shinto was enemy tainted.

The basic argument was that property seizure prevented immigrants from financially or materially supporting enemies of America.

Representing the shrine was Frank Padgett of Robertson, Castle & Anthony.

Representing the defendants were Ray J. O'Brien - U.S. Attorney District of Hawaii, Leon R. Gross - Depart-



ment of Justice, Assistant U.S. Attorney and Howard Hoddick - U.S. Attorney District of Hawaii.

In one high-profile case, the Trading with the Enemy Act enabled the government to seize and auction off Bayer Chemical's physical property in the US, the name Bayer, its logo, and its U.S. patent for aspirin.

In an interview with Leslie Wilcox on PBS Hawaii, Padgett claims that no one in his law firm believed that Kotohira Jinsha had a chance against the Government.

However, after intensive research, Padgett felt the government would not be able to prove Japanese domination and was confident that he could win the shrine back.

The case went to trial on May 17, 1949.

The next day, Federal Judge Frank McLaughlin ruled against the government.

In his ruling, Judge McLaughlin found the Attorney General's office in violation of the shrine's First Amendment rights with no evidence for use of the Trading with the Enemy Act. Kotohira Jinsha's property was returned by judicial order.

Judge McLaughlin stated the following in his opinion:

The undisguised fact is that this plaintiff's property was vested taken away — because what plaintiff believes in was disliked or suspected, and by taking away its base of operations, its fervor for its beliefs would tend to diminish and eventually vanish. Not until the evidence was concluded was I willing to even listen to argument on this point, for I could not believe it. I still do not believe the Attorney General really acted on such a basis — even though such evidence as the Court was given might so indicate.

We have not yet come to the point — nor will we ever while "this Court [also] sits" — where the Government can take away a person's property because it does not approve of what that person believes in or teaches by way of religion or philosophy of life. The First Amendment forbids.

This vesting did unduly infringe a freedom protected by the First Amendment, and the plaintiff has proven itself eligible under the Act to have a judicial order directing the Custodian to return to it the vested property. And it will be so ordered formally when Findings of Fact and Conclusions of Law are settled upon notice.

This opened the flood gates for many Nikkei entities to follow Kotohira's lead in challenging the government.





Frank David Padgett was born on March 9, 1923 in Vincennes, Indiana.

Padgett earned a scholarship to Harvard University, but was called to active duty in the US Army Air Force before graduation.

On January 1, 1945, while on a mission, Padgett was hit by enemy fire and forced to bail out.

Padgett and several oth-

ers were captured by the Japanese and tortured by the *Kempetai* Military Police Corps in Vietnam, where he spent the next eight months until the end of the war.

After the war, Padgett returned to Harvard and earned his law degree. He moved to Honolulu in 1948 with his family after being offered a job with the law firm Robertson, Castle and Anthony.

His first case was representing our shrine - in Kotohira v. McGrath.

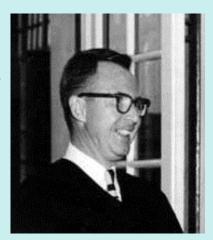
Padgett went on to practice law in Hawaii for the next 30 years before being appointed to the Hawaii Intermediate Court of Appeals in 1980.

In 1982, he was appointed to the Hawaii Supreme Court as an associate Justice and served on the court for 10 years until his retirement in 1992. He still lives in Honolulu with his wife Sibyl.

Frank Padgett is an amazing human being that put aside the brutality of his prisoner of war experience to become a prominent attorney, highly respected Justice. and a champion for civil rights. Joseph Francis McLaughlin aka J. Frank McLaughlin was born on June 7, 1908 in Leominster, Massachusetts.

McLaughlin graduated Dartmouth in 1930 and Harvard Law School in 1933.

Like his father, McLaughlin prac-



ticed for a while in Massachusetts until he was appointment assistant U.S. Attorney in 1935, to the Territory of Hawaii.

A stern conservative Republican, McLaughlin was appointed as judge of the Fourth Circuit Court of Hawaii by Governor Joseph Poindexter in August 1939.

After the war, McLaughlin condemned the conduct of martial law, saying, "Gov. Poindexter declared lawfully martial law but the Army went beyond the governor and set up that which was lawful only in conquered enemy territory not bound by the Constitution. And they... threw the Constitution into the discard and set up a military dictatorship. Yes 'they did it.' They did it intentionally. They did it with design aforethought. They did it knowing disregard of the Constitution. They did it because Hawaii is not a State. They did it because they did not have faith that Americanism transcends race, class, and creed."

12/31/1947 - Hawaii Kotohira Jinsha re-opens its doors, despite the absence of a clergy

6/1/1948 - federal officers raid the shrine, making arrests and seizing the Kotohira Jinsha property

3/4/1949 - the Federal Government announces the sale of the seized Kotohira Jinsha property

3/8/1949 - Kotohira Jinsha reacts by hiring the law firm, Robertson, Castle & Anthony

**3/31/1949** - Kotohira Jinsha files a lawsuit against the Attorney General's office for misusing the Trading with the Enemy Act against a civilian entity not under the influence of the Japanese government

3/27/1950 - The trial begins and ends on 5/17/1950

5/18/1950 - Judge McLaughlin rules in favor of the plaintiffs, Kotohira Jinsha

In 2010, the construction of the Ground Zero Mosque near the World Trade Center site renewed interest in *Kotohira Jinsha v. McGrath*. There were comparisons drawn between the attack on Pearl Harbor and the September 11 attacks and the racial profiling, stereotyping , discrimination and attempted use of the Trading with the Enemy Act that Muslim Americans felt were identical to that of the Japanese Americans during WWII.

### **Private Blessings**



Kenji & Mara Kwock visited the shrine for a baby blessing on May 25. The proud parents are pictured with Kenij's parents and long-time shrine volunteers - Milton & Kathy Kwock and Great Gramma Kwock



A blessing was performed for the new and larger offices of the DK Restaurants group comprised of Sansei Seafood Restaurants in Kapalua, Kihei, Waikiki, Waikoloa and d.k. Steak House in Waikiki.

Sansei Seafood Restaurant will be opening a restaurant in Seattle sometime this Fall.



Loyal shrine members James & Melba Kurashige of Hilo visited the shrine with their son, Ryan on May 20



Congratulations to Steven & Nobue Yoshida on the birth of their daughter, Yui. Big brother Nathan was blessed by Rev Takizawa, ten years ago.

#### UPCOMING EVENTS visit www.e-shri





### visit www.e-shrine.org for details





### Congratulations



Devoted shrine volunteer, Kai Igarashi recently graduated from University of Hawaii at Hilo. Congratulations Kai! We're proud of you !!



Congratulations to a longtime friend of the shrine - Ken Romaniszyn on his recent marriage to Faith Amigo

Ken is the CEO of **Royce Chocolates USA** and President of Lady M Cake Boutique in New York May all your dreams be fulfilled.

#### Honolulu Shinto Renmei **Memorial Day Service**

The annual Honolulu Shinto Renmei Memorial Day Service was held at Punchbowl, Makiki Cemetery and Mo'iliili Cemetery on Sunday, May 24.

The service ended at Mo'iliili Cemetery with greetings from shrine President Shinken Naitoh thanking members for their participation in the remembrance of those who have died in service to our country.



The shrine's blessing of pets is featured in a book entitled "Do More

JACKIE

with your Dog!", written by Kyra Sundance.

A photo and interview with Betty Yamasaki and Jackie is featured on page 177.



Hawaii Dazaifu Tenmangu. It is a special day and blessing for these and all animals to be respected and appreciated for their und love and frier

#### **Canines at Prayer**

