

ABAS Law Foundation Honors Toso Himel

By Justice Shama Hakim Mesiwala and Jerilyn Paik

Photos by Jessica K. Wilson Photography



Jerilyn Paik formed the ABAS Law Foundation in 1997 and has been serving as its Treasurer since 1999. She is a past president of WLS. Jeri is a solo practitioner and is a certified specialist in probate, estate planning, and trust law.



Justice Shama Hakim Mesiwala is a co-founder of SABA of Sacramento and Associate Justice at the Third District Court of Appeal.

On August 22, the ABAS Law Foundation honored its immediate past president, Toso Himel, with a banquet at the Asian Pearl restaurant filled with 150 of his dearest friends in a packed house. **Justice Shama Hakim Mesiwala** served as emcee.

The ABAS Law Foundation was formed in 1997. It is the charitable arm of the Asian/Pacific Bar Association of Sacramento (ABAS), and its purpose is to administer law-related educational and charitable projects and to give scholarships to Asian/Pacific Islander (API) law students, six of whom were recognized at the banquet.

Yoshinori H. Toso Himel ("Toso") served as president of the



Emcee Justice Shama Mesiwala, Roger Yang.

ABAS Law Foundation from 2000 through 2023. Many are aware of his contributions during his tenure as president, such as his support and guidance in fundraising and obtaining many of the grants awarded to the Foundation. This article will give you a glimpse of Toso's story.

On the day World War II ended, an interracial couple—a Nisei woman and a white man, whose marriage was banned in most states—named their firstborn son after **Chief Justice Harlan Stone**. Justice Stone was the author of *Korematsu v. United States* (1944) 323 U.S. 214, which held that the nation could constitutionally incarcerate Japanese Americans because of their race. After a childhood trying to make sense of who and what he was, that firstborn son was now in his early 20s and changed his name to “Toso,” the Japanese verb “to struggle,” and began his journey to become the person we know today as Yoshinori Harlan Toso Himel.

At the time of his name change, Toso quit a sociology Ph.D. program citing “lack of relevance,” met **Barbara Takei** at a “struggle session” convened by radical theoretician **Grace Lee Boggs** and began considering a career in law to make social change.

The catalog of the newly established School of Law, University

of California Davis, beckoned, featuring law students using their skills to serve underserved communities. That was exactly what Toso was looking for, and it was the only law school to which he applied. When Toso arrived at King Hall, it was a time of dramatic social and political change, and he relished the law school's diversity. It was there he met his lifelong friend **Jerry Chong**.

Graduating Order of the Coif, Toso clerked at the United States Court of Appeals for the 4th Circuit, then joined the U.S. Department of Justice Civil Rights Division and traveled the country to litigate school desegregation cases. In 1979 he moved to the U.S. Attorney's Office in the Eastern District of California. As an Assistant U.S. Attorney in the Civil Division, he litigated cases involving torts, tax, water, federal lands, and the National Environmental Policy Act, retiring in 2014. He remains the attorney with the longest tenure at that office. During his last decade there, Toso chaired the Special Emphasis Program, arranging speakers who raised topics of diversity and inclusion to attorneys and administrative staff.

After settling into his career in Sacramento, Toso gathered the first members of what became ABAS, by culling a few

Asian-sounding names from the phone book and law school contacts. As ABAS founding president, he called on **Dale Minami**, who had just launched the Asian Law Caucus in Oakland, to keynote the ABAS inaugural dinner. Over 30 years later, Dale delivered a beautiful video message played at the Asian Pearl recounting their long-lasting friendship. Coming full circle, Toso's son, attorney **Carl Takei**, is now working for the Asian Law Caucus.

By the 1990s, Toso was working on API empowerment with newly-elected ABAS President Jerry Chong, and Toso began writing the ABAS monthly newsletter, *NOTA BENE—Notes to Asian Lawyers*. The newsletter focused attention on API community and legal matters, helping to showcase the growing impact of API lawyers.

A growing number of API attorneys helped ABAS develop into a strong affiliate of the Sacramento County Bar Association. During these years, Toso served as president of the Asian/Pacific Bar of California and helped organize the National Asian Pacific American Bar Association, which honored him as its trailblazer for his writing and organizing work in Sacramento.

ABAS's growth led to the need to create a separate fundraising entity,



Carl Takei, Toso Himel, Barbara Takei.



Jason Jong, Alexis Phan, Josh Kaizuka.



Jeff Ogata, Jerry Chong, Judge Renard Shepard, Ret., Judge Charles Kobayashi, (Ret.), Jessie Morris, Clement Kong, Toso Himel (front row).



Organizers Jeannie Lee Jones, My Tien Doan.

the ABAS Law Foundation, which was incorporated by **Jerilyn Paik** in 1997. Jeri has been serving as the Foundation's chief financial officer, all during Toso's leadership. Annually, the Law Foundation raised hundreds of thousands of dollars in scholarships. This year (2024), **Mike Iwahiro** assumed the Law Foundation's presidency and continues work to encourage and support law students pursuing legal careers that focus on social justice. At the August banquet honoring Toso, the Foundation awarded six scholarships to law students from King Hall, McGeorge, and Lincoln law schools.

After retiring from the practice

of law, Toso had time for other pursuits, including teaching a course on civil litigation at King Hall and publishing a 2016 law review article in the *Seattle Journal for Social Justice*, entitled "Americans' Misuse of 'Internment'." The article clarifies "internment" as a term of international law, and that the unlawful incarceration of Japanese Americans in WWII cannot be called an "internment" under the correctly understood definition of the word. The article has significantly affected the terminology used by the National Park Service and national organizations, and has been an authoritative source for historians, mu-

seum planners, journalists, and editors.

As **Dr. Martin Luther King** reminds us, "the arc of the moral universe is long, but it bends toward justice." Toso has dedicated his life to bending that arc. The Foundation's banquet in August was a chance for us to celebrate Toso's life that continues to do just that. And that banquet would not have happened without our planning committee, to which we express our deep gratitude: **Jean-nie Lee Jones**, Mike Iwahiro, **My Tien Doan**, **Yoon-Woo Nam**, **Josh Kaizuka**, Jerry Chong, **Jessie Morris**, Jerilyn Paik, and Justice Shama Mesiwala. ⚖️



Justice Ronald Robie, Fresno Judge Pahoua Lor, Judge Russell Hom (Ret.), San Joaquin County Supervising Judge Jayne Lee, Judge Stephen Lau, United States District Judge Anthony Ishii (Ret.), Judge Rei Onishi, Justice Shama Hakim Mesiwala, Supervising Judge Kara Ueda, Judge Renard Shepard (Ret.), Yolo County Judge Dee Brown.