

THE UNIVERSITY OF MICHIGAN
LAW SCHOOL
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ANN ARBOR, MICHIGAN 48109-1215

September 23, 1987

By Campus Mail

Professor Yuzuru Takeshita
School of Public Health
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University of Michigan 2029

Dear Professor Takeshita:

I was deeply moved by your letter published in the Ann Arbor News last week. Amid all the rhetoric surrounding the bicentennial of the Constitution (and I suspect I hear more rhetoric about it over here in the law school than you do in SPH II), your letter stood out by its sincerity and insight. Thank you for writing it.

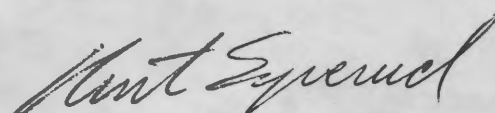
I was previously familiar with the circumstances of the Japanese-American internment during World War II, although not from any first-hand experience like yours. I worked in both the United States District Court for the District of Columbia and the Supreme Court of the United States as the case of Hohri v. United States worked its way through those federal courts. I attended the oral arguments in both courts, in which attorneys and judges explored the appropriateness of compensating the victims of the internment. And I have now had the opportunity to study judicial opinions in the case from three courts, spanning hundreds of pages in the federal casebooks. I expect to have to read still another court opinion, when the Court of Appeals for the Federal Circuit finally decides the merits of the dispute this year.

It was a distressing experience. I heard lawyers and judges focusing in intricate detail on the appropriateness of a damages remedy today, and on whether court or Congress should provide a remedy. Yet money seemed beside the point, which was the need to acknowledge the wrong done in a meaningful way. Your letter gave me insight for the first time as to why the Hohri litigation is a good thing, for if nothing else it has forced a lot of people -- judges, lawyers, and the public -- to reflect upon just how badly the Government failed to live up to the constitutional ideals that unite us as a nation. The debate over the compensation act now passed by Congress should have the same effect -- and if a few more of us learn the lesson Mrs. Gunderson taught, the millions required by the act will be well worth the price.

It is worth it because when "government" failed in 1942, it was really a failure of people working in government. As I learned during the Hohri litigation, the Japanese-American internment was not merely the product of public opinion in 1942, but also of the failure of specific officials -- in the military, the State Department, the courts, and particularly the Department of Justice -- to stand up and oppose public opinion on the strength of their Constitutional convictions. I hope that many of us would behave differently should a similar situation arise again, and that we would do so in part because of the lessons learned from Hohri.

Thank you again for your letter.

Sincerely,

A handwritten signature in cursive script that reads "Kent Syverud". The signature is written in dark ink and is positioned to the right of the typed name.

Kent Syverud
Assistant Professor

Ms. Gunderson:

9/25/87

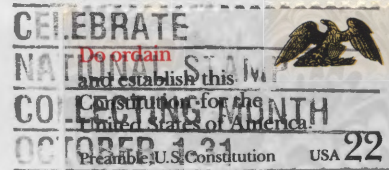
I received this wonderful letter from a law professor in reaction to my "letter to the editor" on the Constitution, a copy of which I sent you the other day. Several others called or wrote to thank me for writing that piece and especially to say nice things about you as this letter does.

Love, Jeremy.

Yuzuru J. TAKESHITA

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Answered

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