June 24, 2009

PRESIDENT MARK YUDOF
UNIVERSITY OF CALIFORNIA

Re: Academic Assembly Resolution to Grant Special Honorary Degrees to Students Affected by Executive Order 9066 during World War II

Dear Mark:

At its meeting on June 17, the Academic Assembly unanimously approved amendment of Academic Senate Regulations to allow for the granting of a special honorary degree to students enrolled at the University of California during the 1941-1942 academic year who were unable to continue their education and receive their degrees due to their removal or exclusion under federal Executive Order 9066.

The joint Academic Senate-Administration’s Task Force on Recognizing Students Interned in WWII considered a variety of policy options for recognizing students of Japanese descent who were removed or excluded during World War II under Executive Order 9066. The Task Force recommended granting a special honorary degree to people affected by this Order. It would be a unique degree, granted by the University of California and not by a specific campus, nor would it be a bachelor’s, master’s, or doctoral degree. While the granting of honorary degrees requires consultation with the Senate, in 1972, the Regents imposed a moratorium on honorary degrees, and a Regents’ bylaw limits the number that can be conferred by any one campus on an annual basis. Therefore, the Regents would have to suspend or amend their bylaw in order to award this special honorary degree. The amendment of the Senate Regulations is carefully crafted to apply to a specific class of approximately 700 individuals under limited circumstances and would not apply to any other person or group of persons. The proposed wording on the honorary degree is Inter Silvas Academi Restituere Iustitiam (To Restore Justice to the Groves of the Academy), which appropriately reflects the University’s core values.

We ask that you communicate to the Regents the intentions of the Academic Assembly in approving this resolution and that you request that the Regents consider suspending or amending their bylaws to enable the granting of this special honorary degree. Please note that the Academic Assembly expressed its intention that the honorary degrees be awarded posthumously to the families of those eligible individuals who are deceased.
The text of the Assembly Resolution, as well as a letter from the co-chairs of the Task Force on Recognizing Students Interned in WWII, is enclosed for your information. Please do not hesitate to contact me if you have any questions regarding the Assembly’s resolution.

Sincerely,

Mary Croughan
Chair, Academic Assembly

Copy: Academic Assembly
   John Sandbrook, Interim Chief of Staff
   Martha Winnacker, Academic Senate Executive Director
   Dan Simmons, Chair, Task Force on Recognizing Students Interned in WWII
   Judy Sakaki, Vice President, Student Affairs
   Larry Pitts, Interim Provost and Executive Vice President

Encl (2)
RESOLUTION OF THE ASSEMBLY OF THE
ACADEMIC SENATE
OF THE
UNIVERSITY OF CALIFORNIA

TO AMEND THE REGULATIONS OF THE ACADEMIC SENATE
ADDING NEW ARTICLE 3 TO CHAPTER 1 OF TITLE II WITH REGULATION
SECTION 625, AND 626, AND AMENDING CHAPTER 4 BY CHANGING THE TITLE
THERETO, AMENDING SECTION 730, AND ADDING NEW SECTION 736

WHEREAS: A large number of Japanese American students enrolled on campuses of the
University of California were forced to leave the University under the terms of
Presidential Executive Order 9066 and related military orders,

AND

WHEREAS: The Congress and the President of the United States declared in the Civil Liberties
Act of 1988 that:

The Congress recognizes that, as described by the Commission on Wartime
Relocation and Internment of Civilians, a grave injustice was done to both
citizens and permanent resident aliens of Japanese ancestry by the evacuation,
relocation, and internment of civilians during World War II. As the Commission
documents, these actions were carried out without adequate security reasons and
without any acts of espionage or sabotage documented by the Commission, and
were motivated largely by racial prejudice, wartime hysteria, and a failure of
political leadership. The excluded individuals of Japanese ancestry suffered
enormous damages, both material and intangible, and there were incalculable
losses in education and job training, all of which resulted in significant human
suffering for which appropriate compensation has not been made. For these
fundamental violations of the basic civil liberties and constitutional rights of these
individuals of Japanese ancestry, the Congress apologizes on behalf of the Nation.

AND

WHEREAS: Convictions of Gordon Hirabayashi and Fred Korematsu for violating the curfew
and exclusion orders proceeding from Executive Order 9066, which were
affirmed by the United States Supreme Court (Hirabayashi v. United States, 320
U.S. 81 (1943); Korematsu v. United States, 323 U.S. 214 (1944)), were set aside
on findings by District Courts that were described by the Ninth Circuit Court of
Appeal as indicating that, “the reasoning of the Supreme Court would probably
have been profoundly and materially affected if the Justice Department had
advised it of the suppression of evidence which established the truthfulness of the
allegations made by Hirabayashi and Korematsu concerning the real reason for
the exclusion order.” Hirabayashi v. United States, 828 F.2d 591, 603-604 (9th
Cir. 1987),
AND
WHEREAS: But for the exclusion order, in the normal course of events students enrolled in the University of California would have completed the requirements for their academic degrees and would have become members of the University academic community,

AND
WHEREAS: University of California Regents Bylaw 29.1 a. requires that honorary degrees may be awarded upon recommendation of the President of the University and approval by a three-fourths vote of the members present.

AND
WHEREAS: University of California Regents Bylaw 29.1 c. limits the number of honorary degrees that may be awarded by a campus at a ceremony to three, and to no more than four honorary degrees in any one academic year.

THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE ACADEMIC SENATE OF THE UNIVERSITY OF CALIFORNIA THAT:

The Regulations of the Academic Senate of the University of California are hereby amended as follows:

1. Add to Title II. Curricula, Chapter 1. General Provisions, a new Article 3 to provide as follows:

   Chapter 1. General Provisions, a new Article 3 to provide as follows:

   Article 3. Special Honorary Degree for Students enrolled in Academic Year 1941-1942.

   625.

   (a) Persons enrolled at a campus of the University of California during the academic year 1941-1942 who were removed or excluded under Executive Order 9066, and who were therefore unable to receive a degree from a University of California campus, are awarded an Honorary Degree of the University of California Inter Silvas Academi Restituere Iustitiam (to restore justice among the groves of the academy).

   (b) The Chair of the Academic Council shall present to the President a list of those persons determined to meet the requirements enumerated in paragraph (a) of this Regulation.
626.

The award of any degree under this Article 3 is conditioned upon amendment or suspension of the bylaws of the Regents of the University of California to expressly permit the award of the honorary degree described in regulation 625.

2. Chapter 4. Certificates, additions and deletions, amend section 730 and a new Section 736 as follows:

Chapter 4. Diplomas and Certificates

730.

Except as specified in Regulations 732, and 734, 735, and 736, each diploma, certificate or other formal academic testimonial proposed for regular use in the University by its agencies or officers is subject to the approval of the Assembly or its agent on recommendation of the Division concerned.

736.

The Honorary Degree of the University of California *Inter Silvas Academi Restituere Iustitiam* awarded pursuant to Senate Regulation 625 shall be represented by a diploma in the following form:

```
UNIVERSITY OF CALIFORNIA

Honoris Causa

Inter Silvas Academi Restituere Iustitiam

By authority of the Regents and the Academic Senate of the University of California

..........................................................

who was enrolled at the . . . . . . . . . . . . . campus of the University of California in the academic year 1941-1942 and who was excluded from continuing by reason of Executive Order 9066, is awarded this honorary degree.

.s/........................................... s/.......................

[seal of the University]```
The diploma shall be signed by the Governor of California, the President of the University, the Chair of the Board of Regents and the Chair of the Assembly.
March 17, 2009

MARY CROUGHAN, CHAIR
ACADEMIC COUNCIL

Re: RECOMMENDATION FROM THE TASK FORCE ON RECOGNIZING STUDENTS INTERNED DURING WORLD WAR II

Dear Chair Croughan,

On behalf of the Task Force, we are pleased to submit our recommendation to Council on recognizing the Japanese American students interned during World War II.

After the thorough review and consideration of the matter and the various issues involved, the Task Force recommends the amendment of Academic Senate Regulations to allow for the granting of a Special Honorary Degree for students enrolled in Academic Year 1941-1942.

A copy of a draft resolution for the Assembly is attached. We believe that the language of the resolution is self-explanatory. The amendment to regulations would bring the authority of the Senate in support of this worthy cause and reflect the Senate’s ultimate authority over degrees. The situation addressed by the resolution is unique in the history of the United States (fortunately) and unique in the history of the University. Approving a University honorary degree in these unique circumstances will not set a precedent for future cases. In addition, recognition of the University students who were unable to continue their UC education because of their removal from the University by Executive Order 9066 does not undermine the individual achievement of students who receive a regular degree from a campus. Indeed, recognizing the harm suffered by Japanese Americans and providing a welcome back into the “groves of academia,” enhances the stature of all of the degrees issued by the University;

Sincerely,

Judy Sakaki, Co-Chair, Vice President-Student Affairs, UC Office of the President
Daniel Simmons, Co-Chair, University of California, Davis