

Chronological: Richardson Law School Commencement, UH

Senator Daniel K. Inouye Papers
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Dan Inouye

U.S. SENATOR FROM HAWAII



WILLIAM RICHARDSON LAW SCHOOL COMMENCEMENT SPEECH

MONDAY, MAY 17, 2004
UNIVERSITY OF HAWAII

I remember the early days when the establishment of the William S. Richardson School of Law was met with skepticism, to outright opposition.

There were those in Hawaii's legal community who believed that if you wanted to become an attorney skilled in the practice of law, you had to graduate from a school on the mainland. Those early days tested the underlying foundation of this school - that all Hawaii students should have an opportunity to become juris doctors, based not on an ability to pay, but rather, on academic ability.

It also tested the skill and passion of its early graduates who had much to prove to the legal establishment. Acknowledgment grew to acceptance. And, what was mere acceptance 30 years ago, has today become a growing series of accolades and achievements:

- **It is the most ethnically diverse law school in the country, reflective of Hawaii's diverse population;**
- **It consistently achieves national recognition in moot court and client counseling competitions;**
- **There are more than 1000 applications for less than 100 seats in the 2004 entering class. This is a new record, and a testament to the value and quality of legal education offered at this institution.**

You should be very proud of the degrees you are receiving today. You have earned them, and you have earned them from a top-notch institution.

On this day, we celebrate not only your achievements, but also a significant moment in our history, fifty years ago, when America stepped forward and gave living meaning to the 14th Amendment's equal protection of the laws.

The 1954 Supreme Court decision in Brown v. Board of Education is spectacular when one considers the times. It was unanimous and unexpected. The Supreme Court is usually always divided. Yet somehow, liberals and conservatives found their way to unite, and issue one opinion in the best interest of this nation.

When one speaks of segregated schools, America thinks of Mississippi where Freedom Riders were tortured and executed. Or, of Little Rock, Arkansas where a governor stood at a school doorway preventing an innocent, African American girl from entering the classroom. These vivid images were burned into America's conscience, and set the backdrop for our high court to rule that "...in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

In the 1940's, Hawaii also had a segregated school system. We were not honest enough to call it as such. It was given an intellectually and morally correct name - the English-standard school. To become a student, you had to take a written exam, which was almost incidental to the oral examination. One mispronounced word, one grammatical error, and you were out.

Half out of curiosity, I took the exam in my junior year at McKinley High School. The English standard school was Roosevelt High School. I had a perfect score on the written exam. On the oral examination, my pidgin inflection and pidgin grammar were also perfect. I was rejected in 5 minutes. Some of your parents and grandparents were also not good enough to attend English standard schools. Segregation, no matter how it was couched, is wrong.

The Court in Brown said, "...to separate [children] ... solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." These words were as poignant then as they are today.

During World War II, all military units were segregated. In the Army, the African Americans made up the 92nd and 93rd Infantry Divisions, the Puerto Ricans the 5th Regiment, the Filipinos the 1st Regiment in the Philippines, and the Japanese Americans the 442nd Regiment.

History shows that these units fought in an exemplary manner, notwithstanding the less than desirable missions we were often given. In 1948, six years before the high court's ruling, President Truman through Executive Order #9981, formally integrated the armed forces, calling for "equality of treatment and opportunity for all." I would like to believe that the patriotism of the 442nd Regiment, the Filipino-American 1st Regiment, the African American 92nd Division, the Native American Code Talkers and the Puerto Rican 5th Regiment played a small role in ending segregation and uniting the U.S. armed forces.

While the days of segregation based on solely on race may be behind us, that may not necessarily be so for children from impoverished families, for immigrant children, or children who carry with them a hurtful "feeling of inferiority" as to their status in the community.

What have we done, and what must we do to continue the meaning and spirit of Brown v. Board of Education? This year marks the 30th anniversary of the pre-admission program where disadvantaged and under-represented students take an additional year to prepare for the rigors of law school, and are mentored and supported to graduation.

This program clearly carries forward the spirit of Brown, and commits it to action. Just think for a moment about the many lives that were made better over the 30-year span. It has generated hope, self-esteem, and economic independence. Congratulations, and I wish you another 30 years of success.

For my part, I am proud to share with you that legislation and funding are in place to establish a Native Hawaiian Law Center of Excellence at the law school. Its purpose is to support educational activities to expand the pool of expertise and knowledge in the field of Native Hawaiian law.

It is my hope that this center will serve as an important educational resource as Native Hawaiians and the broader community move forward together to achieve a measure of reconciliation for the loss of Native Hawaiian sovereignty, resulting from the unlawful overthrow of the Kingdom of Hawaii in 1893. Most humbly, this is my ho'okupu, or gift, to the school, and in perpetuating the spirit of Brown v. Board of Education.

Unfortunately, there will always be discrimination. There will always be men and women of prejudice in a free society. While we should expect it to occur, we must never become so complacent as to let it go unchecked. There must continue to be a significant group willing to stand up, and speak up.

If not for this segment of our society, America may not have had a Brown decision. America may not have had a Korematsu decision and reparations for interned Japanese Americans.

If not for this segment, America may have stayed in the Vietnam War even longer than it did. Oftentimes, it takes as much, if not more, courage to speak up and oppose our government's actions. Standing up and speaking up should be viewed no less patriotically than those who wave the American flag. This freedom is at the core of our democracy.

The horrific photos of torture and abuse of Iraqi prisoners at the hand of American soldiers have tarnished our image in the world's eye. It has shocked the collective conscience of America. And, we have lost the hearts and minds of many Americans, already questioning the wisdom of our presence in Iraq.

Hawaii can be proud of Major General Antonio Taguba of Wahiawa for having the courage to stand up and speak up for the civil rights of those with no voices. Had those inhumane acts been perpetrated by another nation, U.S. condemnation would have been swift and harsh. We now find ourselves in the position of accused, rather than accuser.

Yet, through it all, America is strong enough to air its failings on national television for the world to witness. What other nation could or would do that? It is our system of checks and balances. It is our ability to criticize and question our leaders that is at the heart of our democracy, and is testament of our enduring legacy.

I leave you with 35 words that have been my guiding principle throughout my years of service. Follow them, and you will never go wrong in whatever path you choose:

“We hold these truths to be self-evident. That all men are created equal. That they are endowed by their creator with certain unalienable rights. That among them are life, liberty and the pursuit of happiness.”

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Univ. Hawaii, Richardson School
of Law Commencement
May 17, 2004

OK - Speech for

DRAFT - LAW SCHOOL COMMENCEMENT SPEECH

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