

## TRUE MICHIGANIAN

*Moritoshi Fukuda\**

At the beginning of January, 1988, the saddest news came from Betty Bishop in her letter informing me that her father, William W. Bishop, Jr., had passed away suddenly but peacefully at his home in Ann Arbor on December 29, 1987. His last act on this earth was feeding the birds and squirrels in his snowy garden. Then he sat down on the porch and apparently was struck down by a heart attack. He was 81 years old.

Every Christmas, I much enjoyed reading his annual Christmas letter telling all about himself and his family's activities during the past year. It was a great pleasure to know of his continually active life after retirement: teaching, some writings, working on the revision of his casebook, and travels. By the Summer of 1987, he had completed visits to all 50 states.

Betty's January letter mentioned how much her father enjoyed the exchange of letters and pictures between us as well as my visits to Ann Arbor. His death came with great regret, since we had planned a reunion in March, 1988. Unfortunately, that reunion never took place, but became a visit to pay my last respects to his grave at Forest Hill Cemetery.

Professor Bishop came to Michigan in 1915, when his father was appointed Librarian and Professor of the University of Michigan. His father was a very respected librarian for his distinguished work in the establishment of modernization of the field of library science. Professor Bishop spent his formative years in schools in Ann Arbor before attending the University of Michigan, where he received undergraduate and law degrees. He later returned as a Law School faculty member of his beloved *alma mater*, and taught there for 40 years as a renowned world authority and scholar in the field of international law. Academic devotion to the University of Michigan over the course of two generations, from father to son, certainly leads us to say that Pro-

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fessor William W. Bishop, Jr. was the most loyal Michigan man — a “True Michiganiaan.”

His career included eight years of distinguished service with the Office of the Legal Adviser in the United States Department of State. At a speech during the retirement lecture series for Professor Bishop at the Law School in 1976, Professor Myres McDougal, of Yale Law School, illustrated the Professor’s abilities in his days at the State Department with an interesting anecdote. He told that it was extremely tough to get approval from Mr. Hackworth, the Chief Legal Adviser at that time, for any legal document or paper drawn up by staff lawyers in the Department. However, every time a document initialed by one particular person came across his desk, Mr. Hackworth silently and automatically gave his approval. Needless to say, the author was William W. Bishop, Jr. in his younger days at the State Department.

My first encounter with Professor Bishop was through his international law casebook, which was the most widely used in America. My area of specialization had been commercial law; however, when I came to Michigan, I read the *Asakura* case,<sup>1</sup> which revived my great interest in international law.

Asakura, a Japanese citizen who had lived in Seattle since 1904, engaged in business as a pawnbroker for six years, attacked the validity of a local ordinance of 1921, which made it unlawful to engage in pawnbroking without a license. The ordinance provided that the license should be granted only to citizens of the United States; yet Japanese were ineligible for citizenship until 1952. Asakura challenged the ordinance on the ground that he was entitled to pursue the profession of pawnbroking as a “trade” protected under the 1911 Treaty of Friendship, Commerce, and Navigation between Japan and the United States.<sup>2</sup> Asakura ultimately won the case after taking appeals all the way to the Supreme Court of the United States.

When we think of the enormous differences in language, culture, philosophies, and values between Japan and the United States 70 years ago, Asakura’s actions are quite remarkable. It was truly amazing that he, raised in a society deeply ingrained with great disdain of legal recourse to resolve problems, should take it upon himself to fight his case based on treaty violation all the way to the Supreme Court. Asakura displayed a truly international outlook — even compared to contemporary Japanese — in applying a norm of international law to vindicate his rights.

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1. *Asakura v. City of Seattle*, 265 U.S. 332 (1924). The case is printed in the 1971 edition of Professor Bishop’s casebook at page 150.

2. 37 Stat. 1504 (1911), Art. I.

The study of this case led Professor Bishop to encourage me to investigate more deeply how the Japanese in the United States were treated under international law. He thought this research would serve as a valuable contribution to the developing international relations between Japan and the United States. When I first submitted a portion of my doctoral thesis, he gave me very detailed critique which amounted to almost ten single-spaced pages. While I was shocked by the severity of his comments, such firm direction later led me to the completion of my project. I was granted the S.J.D. in 1978, thus becoming his last doctoral student since his retirement in 1977.

Professor Bishop will always hold a special place among professors because he put teaching as his first priority. He would not schedule office hours for two or more hours before each class he taught, so that he could prepare well for the lecture. He supplemented his lectures with the latest topics and international news events to keep the class lively. Always warm in his approach to teaching, a student could find deep meaning and implications in everything he said. He always encouraged students to form their own opinions rather than merely to reassert his ideas from the casebook.

One anecdote of particular note exhibits Professor Bishop's diplomatic yet powerful personality. A long time ago, one night after an international conference in Washington, D.C., he and some of his fellow conference members decided to dine together. Each attendant was from a different country and each insisted on taking the group to dine on his or her own native cuisine. Professor Bishop broke the stalemate by proposing that they eat at a Chinese restaurant — for there were no Chinese in the group. All agreed instantly.

Professor Bishop loved sports, and never missed a Michigan football game. He was well known as a true nature lover and outdoorsman, and was a member of the Board of the local Boy Scouts of America Council. During my time in Ann Arbor, he taught me the basics of bird watching, which later became my most ardent hobby.

Professor Bishop almost always wore what was probably a ten-year-old tie, and walked around in ankle-height laced shoes purchased from Sears, Roebuck. The image of Professor Bishop, so dressed, warmly welcoming you into his office with a mountain of books and paper on his desk is one of a true scholar and educator.

The passing of Professor Bishop marks the end of an era; yet his contributions to education become part of a string dating back all the way to Dean Thomas M. Cooley. For me 1878, the year in which the Law School awarded a degree to a Japanese student for the first time — one hundred years before the award of my S.J.D. — holds particu-

lar significance. The University of Michigan Law School has always been an endless source of academic inspiration and guidance. The direction of leadership is assured with the current generation of teachers who continue the renowned tradition of excellence for which this law school has long been noted.

Nonetheless, Professor William W. Bishop, Jr. will be missed by all.