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## Law Day Essay

After Japan launched an aerial attack on Pearl Harbor, fear of Japanese spies giving national secrets to the Axis Forces made the American public frightened. In 1942, President Franklin D. Roosevelt signed Executive Order 9066, which ordered the relocation of all people of Japanese ancestry living on the West Coast, regardless of citizenship, to ten isolated concentration camps. Though the government was compelled to take action, the incarceration of all people of Japanese descent was unjustified. The internment of more than 120,000 Japanese-Americans during the duration of WWII was prejudiced and unconstitutional.

Even though America was at war with other countries than Japan, only those of Japanese descent were sent to concentration camps, not those of Italian or German descent. Japanese-Americans were denounced and essentially imprisoned because of their race and ancestry, even though many were American citizens. Fred Korematsu, a natural born citizen, was arrested because he challenged the order by refusing to obey the relocation. Korematsu took his case to the Supreme Court to dispute the legality of Order 9066, but the fear of Japanese spies terrified the courts, and he was convicted on the grounds that the relocation was necessary in the time of war. Justice Robert Jackson, a justice on Korematsu's original case, stated "Once a judicial opinion rationalizes such an order to show that it conforms to the Constitution, or rather rationalize s the Constitution to show that the Constitution sanctions such an order, the Court for all time has validated the principle of racial discrimination in criminal procedure and of transplanting American citizens." Korematsu was condemned because of his ancestry, even though he had done nothing criminal, he just refused to leave his home. The Court decided that national security outweighed the rights of people who hadn't done anything wrong. So, without a trial and without a choice, thousands were sent away from their homes and looked upon as if they were traitors to their country.

When the war ended, the Japanese-Americans were allowed to go home, but there wasn't much to go back to. They spent three years imprisoned for no reason, without due process or a trial, to come back to nothing of their own life, and then were greeted with extreme hostility. They were forced to sell their homes,

their possessions, and anything that they couldn't carry when they went to the concentration camps. The fifth amendment states that no person shall be deprived of life, liberty, or property without due process of law, but the Japanese-Americans were denied this right by Order 9066. Korematsu later had his convictions overturned in *coram nobis*, after it was discovered that false evidence had been submitted and had affected the Supreme Court's decision. Almost forty years later, Congress realized that Order 9066 was unconstitutional and gave twenty-thousand dollars to each living person that went to the camps as an apology for their wrongful internment.

Now, with the threat of terrorism, there is still a chance that a policy similar to this could be put into act. For example, Muslims are being singled out in the fight against terrorism in a similar way as the Japanese were during WWII. Hopefully, we can be taught by the concentration camps and learn not to fit the Constitution into our policies, but fit our policies into the Constitution. Though the Japanese-American concentration camps are still a dark mark on the nation's reputation of respecting the civil rights and liberties of its citizens, we can learn from the unlawfulness of them and prevent something like it from happening again. The internment of Japanese-Americans during WWII was prejudiced and unconstitutional.

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