

Can the government limit civil liberties in wartime? essay



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There are very few circumstances in which the U.

S. Government can suspend the civil liberties of its citizens. During World War II, President Franklin Delano Roosevelt issued Executive Order 9066 which gave the military the power to declare any place in the United States a military zone. This led to many Japanese American throughout most of the West Coast being relocated to interment camps.

When Fred Korematsu refused to be relocated the Supreme Court ruled in favor of the military despite suspicions of racism.

There were Supreme Court Justices who disagreed with the decision but the ruling still passed. The Supreme Court found Korematsu guilty of violating Civilian Exclusion Order No. 34. Despite clear undertones of racial discrimination, Fred Korematsu was still violating a direct order from the President of the United States. He was on fact guilty of that.

Korematsu was not exclude from the law. The military fear an invasion by Japan on the West Coast. Consequently, most of the West Coast – including Korematsu’s San Leandro home – was declared a military zone in an effort to insure the safety of the US.

However, one Supreme Court Justice disagreed with the ruling passed on Korematsu’s case. Justice Owen J.

Roberts saw the situation as a clear violation of Korematsu’s Constitutional rights. Roberts was quoted as saying, “. . .

it is a case of convicting a citizen as a punishment for not submitting to imprisonment in a concentration camp, based on ancestry, and solely because of his ancestry, without evidence or inquiry concerning his loyalty and good disposition towards the United States. Roberts saw the discrimination in the way Executive Order 9066 was being carried out. Just as Adolph Hitler was funneling Jew into Concentration Camps in Germany, the United States was similarly doing the same thing to Japanese Americans. Furthermore, under very few circumstances should any government be allowed to suspend the civil liberties of any group of people. Race should not be a factor in how dangerous a certain group is. Like religious affiliation and sexuality, who someone is as a person doesn't make them a threat to national security.

When a group of people are observed and proven to be domestic terrorists, then they can be stripped of the civil liberties they are fighting against and relocated for the safety of the country. Thus, the Japanese Americans who were forced to relocate were having their rights as United States citizens violated when Executive Order 9066 was used to directly target them. However, President Roosevelt's order wasn't meant to discriminate but to protect.

Any American thought to be a danger and possibly enable the Japanese military to invade the West Coast needed to be moved during wartime. Not just Japan American should have been moved. Any person in the United States thought to be a danger should have been relocated.

In the end and despite what people thought what was right or wrong, Korematsu was justifiably guilty of violating a set order. He was forced to pay for this while those who used Executive Order 9066 to discriminate were never prosecuted.