Editor’s Note

During the 2008-2009 academic year, the Asian American Law Journal celebrated the anniversaries of critical moments in Asian American Jurisprudence. Two-thousand nine marked 25 years since the landmark Korematsu II decision, when the United States District Court acknowledged the grievous error the Supreme Court committed, not only against Fred Korematsu, but also against all Japanese Americans interned during World War II.

Two-thousand eight brought the 20th anniversary of the Civil Liberties Act of 1988, when Congress acknowledged the “racial prejudice, war hysteria, and a failure of political leadership” that led to the internment of over 100,000 Americans, many of whom bravely fought for their nation that tore them from their homes and livelihoods. The congressional apology and $20,000 in restitution for the “grave injustice” done to each of the interned was little compensation for the many whose scars will never fade.

This year, after 60 long years of waiting, we also celebrated the passage of veterans’ benefits for Filipino soldiers who fought under the American flag during World War II. Congressman Michael Honda’s statement upon the passage of this legislation, included in this volume, reminds us of the many injustices that continued, even while many communities celebrated landmark legal and legislative victories.

Two-thousand nine also marked the 40th anniversary of the Third World Liberation Strikes that gave birth to ethnic studies and led to the growth of fields we now know as African American Studies, Asian American Studies, Chicano/Latino Studies, and their progeny. The Asian American Law Journal would not exist today if not for the efforts of the student and scholar activists who paved the way for fields such as Critical Race Theory and Asian American Jurisprudence to emerge in subsequent decades.

In celebrating the Asian American Law Journal’s 15th anniversary this academic year, we recognize that we must always remember our history and acknowledge the shoulders on which we stand. In this volume, we celebrate this history from which we continue to learn.

Our 2009 Spring Symposium entitled Justice Restored: The Legacy of Korematsu II and the Future of Civil Liberties brought together Karen Korematsu – Fred Korematsu’s daughter, Dale Minami – the lead attorney for Fred Korematsu’s coram nobis petition, and Judge Marilyn Hall Patel – the U.S. District Court judge who handed down the landmark Korematsu II decision. Students, scholars, and members of the public learned from the panelists’ personal insights into this significant moment in legal history.

Sandhya Ramadas’s article, How Earl Warren Previewed Today’s Civil Liberties Debate—And Got it Right in the End, examines the legal rationale and heavy heart of a man now revered for protecting individual rights, but who once played a significant role in the internment of Japanese Americans – arguably the largest mass violation of civil liberties the U.S. government committed in the past century.

Volume 16 also looks toward the future of Asian American Jurisprudence and the rapidly changing and newly forming communities involved.

This year’s winner of the Akiyu Hatano student writing award is Christina Yang, for her article Redefining and Reclaiming Korean Adoptee Identity: Grassroots Internet Communities and the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. She examines the complexities of Korean adoptee identity and the role of international laws and emerging internet communities in its development.

Michael Liu, Shauna Lo, and Professor Paul Watanabe’s recent development piece looks to the constantly changing demographics of Asian America and how this diverse population views immigration. Interest and Action: Findings from a Boston-Area Survey of Chinese and Vietnamese American Attitudes on Immigrants, Immigration, and Activism offers valuable insight as Comprehensive Immigration Reform legislation reemerges in the coming year.

During the Asian American Law Journal’s 15th anniversary celebration, we were honored to have Professor Robert Chang, the author of the journal’s first published article, deliver the keynote address. In his forward-looking speech entitled Asian Americans and the Road to the White House: Musings on Being Invisible, Professor Chang asks what “post-racial” means for Asian American political identity and visibility in the context of the historic 2008 election.

The Asian American Law Journal also had the privilege of interviewing Dr. Konrad Ng, an Asian American film scholar and President Obama’s brother-in-law. In describing the multiethnic, multiracial roots and upbringing of President Obama and his sister Maya, Dr. Ng succinctly expresses the spirit of the Asian American Law Journal: “Hopefully, this kind of biographical diversity can help us form more complex or imaginative understandings of what is possible and desirable in identity.”
The Asian American Law Journal strives to bring more diversity of scholarship into the legal academy, through which scholars, practitioners, and jurists alike can better understand the complexities of the law in its impact on an ever-changing American populace.

In peace and unity,

Jiny J. Kim
Editor-in-Chief
2008-2009

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*Asian American Law Journal Mandate*

The mandate of the *Asian American Law Journal* is to publish commentary, analyses, and research on the experiences and concerns of Asian Americans. We believe that to advance the Asian American movement, we must recognize the diversity among Asian American communities and cultivate scholarship that promotes understanding and empowerment in order to foster resistance to oppression and the achievement of justice. The movement includes, but is not limited to, the intersections of gender, class, sexual orientation, religion and race. We recognize the histories of Pacific Islanders and support those who choose to maintain distinct community identities. In solidarity with all peoples who have been subordinated, we embrace the opportunity to publish works that address issues relating to all marginalized communities. The mission of our journal is to speak truth to power; to borrow from poet Janice Mirikitani, “We give testimony. Our noise is dangerous.”