

Korematsu v. United States / Background ••

After Pearl Harbor was bombed in December 1941, the American military was worried about an attack from the Japanese on the mainland of the United States. There were many people of Japanese descent living on the West Coast, and the U.S. government was worried that they might help the enemy, Japan.

At the time there was no proven case of espionage or sabotage on the part of Japanese or Japanese Americans in the United States. Still, in February 1942, General DeWitt, the commanding officer of the Western Defense Command, recommended that “Japanese and other subversive persons” be removed from the West Coast. President Franklin D. Roosevelt soon signed Executive Order 9066. This order allowed military authorities to enact curfews, forbid people from certain areas, and to move them to new areas. Congress then passed a law imposing penalties and making it a crime for people who ignored these orders. Many Japanese and Japanese Americans on the West Coast were moved to internment camps farther inland. This was called internment. Japanese Americans were forced to sell their homes and personal belongings. They had to move to the camps. They were required to live in very basic camps or barracks. These barracks did not have running water or cooking facilities. Some were horse stalls at local fairgrounds.

Fred Korematsu was a natural-born United States citizen. He was born in Oakland, California to Japanese parents. He tried to join the U.S. military but was rejected for health reasons. Later, he worked in a shipyard. When the Japanese internment began in California, Korematsu moved to another town. He also had facial surgery and claimed to be of Mexican and Hawaiian descent. He was later arrested and convicted of violating the order that banned people of Japanese descent from the area of San Leandro, California, where there was a large military facility.

Korematsu challenged his conviction in the courts. He said that Congress, the president, and the military authorities did not have the power to issue the relocation orders and force him to live in an internment camp. He also claimed because the order only applied to people of Japanese descent, the government was discriminating against him on the basis of race.

The government argued that the evacuation of all Japanese Americans was necessary to protect national security because there was evidence that some were working for the Japanese government. The government said there was no way to tell who was loyal and who was not, so it had to treat all people with Japanese ancestors as though they were disloyal.

The federal appeals court agreed with the government. Korematsu appealed this decision and the case came before the U.S. Supreme Court.

Questions to Consider

1. What did Executive Order 9066 authorize?
2. The United States was also at war with Germany and Italy. People of German and Italian descent were also interned, but in fewer numbers relative to the Japanese. What do you think explains the differences in the ways they were treated?
3. In times of war, governments often must balance the needs of national security with the civil rights of its citizens. In your opinion, did the Japanese internment order find the right balance between these competing values? Explain your reasons.