

## **Korematsu v. United States / Background ●●●**

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When the Japanese bombed Pearl Harbor on December 7, 1941, much of the American Pacific fleet was destroyed. The U.S. military became concerned about the security of the mainland United States, particularly along the West Coast. The Japanese military had achieved significant and swift success throughout the Pacific. Many Americans turned their fear and outrage over the actions of the Japanese government on people of Japanese descent. Americans were distrustful of citizens and non-citizens living lawfully in the United States.

At the time, approximately 112,000 people of Japanese descent lived on the West Coast; about 70,000 of these were American citizens. Many Japanese Americans had close cultural ties with their homeland. They were sending children to Japan for schooling and even collecting tinfoil and money to send to Japan during its war with China. At the time, however, there was no proven case of espionage or sabotage on the part of 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 evacuated from the Pacific coast. He claimed,

*The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of United States citizenship, have become ‘Americanized,’ the racial strains are undiluted. To conclude otherwise is to expect that children born of white parents on Japanese soil sever all racial affinity and become loyal Japanese subjects ready to fight and, if necessary, to die for Japan in a war against the nation of their parents.*

General DeWitt also said there was “no ground for assuming that any Japanese, barred from assimilation by convention as he is, though born and raised in the United States, will not turn against this nation when the final test of loyalty comes.” He did not trust anyone of Japanese descent.

President Franklin D. Roosevelt acted on this recommendation and signed Executive Order 9066. This authorized the secretary of war or any designated commander, at their sole discretion, to limit and even prohibit some people from being in certain areas. Soon after the order was enacted, Congress passed a law that imposed penalties for people who violated the restrictions in the order. The restrictions on people of Japanese origin included curfews and forced removal to assembly and relocation centers much farther inland. Relocation to these centers was called internment. Most people were required to live in barracks, many of which did not have running water or cooking facilities. Some barracks were horse stalls at local fairgrounds. They were only allowed to bring basic personal items. Thus, many suffered heavy financial losses when they were forced to quickly sell their homes, vehicles, and other belongings. Some people took advantage of their Japanese friends and neighbors by buying their possessions cheaply or not paying them at all.

Fred Korematsu was a natural born United States citizen who was born and raised in Oakland, California. He tried to join the U.S. military but was rejected for poor health. He was able to get a job in a shipyard. When Japanese internment began in California, Korematsu evaded the order and moved to a nearby town. He did not believe he should have to move to an internment camp because he was born in the United States and was, therefore, a natural born citizen. He had facial surgery, changed his name, and claimed to be of Mexican and Hawaiian descent. Korematsu was later arrested and convicted of violating Exclusion Order No. 34 issued by General DeWitt. This order barred all persons of Japanese descent from the “military area” of San Leandro, California. There was no question at the time of conviction that Korematsu had been loyal to the United States and was not a threat to the war effort.

Korematsu challenged his conviction on the grounds that the relocation orders were beyond the powers of Congress, the military authorities, and the president. He also claimed that to apply these orders only to those of Japanese ancestry amounted to constitutionally prohibited discrimination based on race. The government argued that the exclusion and internment of Japanese Americans was justified because it was necessary to the war effort. They said there was evidence that some Japanese Americans were involved in espionage. The government argued that because there was no way to tell the loyal from the disloyal, all people of Japanese descent had to be treated as though they were disloyal.

The federal appeals court ruled in favor of the United States, and Korematsu’s appeal brought the issue before the U.S. Supreme Court.

## **Questions to Consider**

1. What did Executive Order 9066 authorize?
2. In your opinion, how convincing is General DeWitt’s argument about the loyalty of people of Japanese descent?
3. The United States was also at war with Germany and Italy. People of German and Italian descent were also interned, but in relatively fewer numbers than the Japanese. What do you think explains the differences in the ways they were treated?
4. 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.