

Introduction to the *Korematsu v. United States* Supreme Court Case

During World War II, when the United States was at war with Japan, President Franklin Roosevelt issued Executive Order 9066. This order gave the U.S. military the power to exclude U.S. citizens of Japanese descent from areas of the country believed to be critical to national defense and potentially vulnerable to espionage, or spying. Using the power of Executive Order 9066, the U.S. military then issued a series of its own orders, including Civilian Exclusion Order No. 34, that banned all persons of Japanese ancestry from an area on the west coast of the United States stretching from Washington State through California.

The military orders like Exclusion Order No. 34 forced Japanese Americans to leave their homes and businesses on the west coast and relocate to internment camps. All citizens of Japanese descent were expected to submit to relocation and to remain in the camps until the end of the war.

Fred Korematsu, an American-born citizen of Japanese descent, defied Exclusion Order No. 34 and refused to leave his home in California. In 1942, Korematsu was convicted in federal court for failing to report for relocation to an internment camp. He appealed the federal court conviction and his case reached the Supreme Court in 1944.

The Supreme Court, in a 6-3 majority, agreed with the earlier federal court ruling and upheld Korematsu's conviction.

Justice Black wrote the opinion for the majority of the court. Justice Murphy wrote one of the three dissenting opinions.