

LIMITED ACCESS KOREMATSU V UNITED STATES 323 US 214 1944 50 MOST CITED CASES

Korematsu v. United States: A Landmark Case on Civil Liberties and Race

Keywords: Civil Liberties, Internment, Racial Discrimination

Introduction

Korematsu v. United States (1944) is a landmark case in the Supreme Court of the United States that tested the constitutionality of the internment of Japanese Americans during World War II. The case's outcome has a significant impact on the balance between civil liberties and national security in times of crisis.

Factual Background

Fred Korematsu, a Japanese American, was convicted of violating a military order that required all persons of Japanese ancestry to evacuate from the West Coast and report to internment camps. Korematsu refused to comply with the order, arguing that it was unconstitutional.

The Supreme Court's Decision

In a 6-3 decision, the Supreme Court upheld the internment order. The majority opinion, written by Justice **Hugo Black**, argued that the military had the authority to detain individuals during wartime for reasons of national security, even if there was no evidence of any individual wrongdoing. Black emphasized that "a military order, whether issued by the President or by a local military commander, under proper authority, is a lawful order."

Dissenting Opinions

Justice **Frank Murphy** dissented vehemently, arguing that the internment order was "a clear violation of our tradition of individual liberty." He emphasized that the government had failed to provide any evidence that Korematsu posed a threat to national security. Justice **Robert Jackson** also dissented, arguing that the internment order was not justified by military necessity.

Legacy

The Korematsu decision has been a subject of controversy since its issuance. Many legal scholars and civil rights advocates have argued that the decision was a grave miscarriage of justice and a violation of constitutional rights. In 1983, Korematsu's conviction was overturned on appeal, and he was awarded the Presidential Medal of Freedom in 2010.

The Korematsu case remains a reminder of the importance of civil liberties and the dangers of racial discrimination, especially in times of crisis. It serves as a cautionary tale about the potential for the government to infringe upon individual rights in the name of national security.

Korematsu v. United States (323 U.S. 214)

Where to Find Documents about the Case

- **Supreme Court of the United States:** https://www.supremecourt.gov/opinions/40s/43-233_9u27.html
- **Cornell Law School: Legal Information Institute:** <https://www.law.cornell.edu/supremecourt/text/323/214>
- **FindLaw:** <https://caselaw.findlaw.com/us-supreme-court/323/214.html>
- **Google Scholar:** https://scholar.google.com/scholar_case?case=4171327090464860429&q=Korematsu+v.+United+States&hl=
- **Federal Judicial Center: Historic Cases:** <https://www.fjc.gov/history/landmark-cases/korematsu-v-united-states> Why You Should Read About Korematsu v. United States**

50 Most Cited Cases

Korematsu v. United States, 323 U.S. 214 (1944), is a landmark Supreme Court case that upheld the government's wartime detention of Japanese Americans without due process.

Reasons to Read About This Case:

- **Impactful Legal Precedent:** Korematsu established the precedent that racial discrimination can be justified in times of national emergency, even if it violates the Constitution.
- **Civil Liberties Implications:** The case has raised important questions about the balance between national security and individual rights during wartime.
- **Lessons from History:** Studying Korematsu helps us understand the dangerous consequences of fear, prejudice, and government overreach.
- **Personal and Social Impact:** The case had a profound impact on the lives of Japanese Americans, who were unjustly imprisoned and denied basic freedoms.
- **Historical Significance:** Korematsu is a pivotal moment in American history, shedding light on the dark chapter of Japanese internment and its lasting effects.
- **Relevance to Contemporary Issues:** Korematsu's legacy continues to resonate in discussions about racism, discrimination, and the role of government in safeguarding civil liberties.
- **Inspiration for Activism:** The case has inspired individuals and organizations to fight for justice and protect the rights of minorities and marginalized communities.