

Document 9

SOURCE: Part of the majority opinion of the U.S. Supreme Court, written by Chief Justice Hugo Black, in the case of Korematsu v. United States in 1944. Korematsu was a Japanese American who was convicted of not following internment orders. He appealed his case to the Supreme Court. (Changed for easier reading). Found at <http://sheg.stanford.edu/japanese-internment>

We agree with the exclusion order [Order 9066] ...Even though we agree with it, we understand that it makes things hard for a lot of American citizens.... But hardships are part of war, and war is a lot of hardships. All citizens, both soldiers and those at home, feel the effects of the war—some more and some less. Citizenship has its responsibilities and privileges, and during wars the load is always heavier. Forcing a large group of people from their homes goes against our basic government, except for during times of emergency and danger. But in warfare today, when hostile armies threaten our shores the power to protect has to be equal to the threatened danger.

To say that this case is about racial prejudice, without talking about the real military dangers, is confusing. Korematsu was not kept out of the military area because of anger toward him or his race. He was kept out because we are at war with Japan and because military officials were afraid of an invasion of our West Coast. They decided that military urgency made it so that all citizens of Japanese ancestry be removed from the West Coast for some time, and, finally, because Congress decided that our military leaders should have the power to do this.