

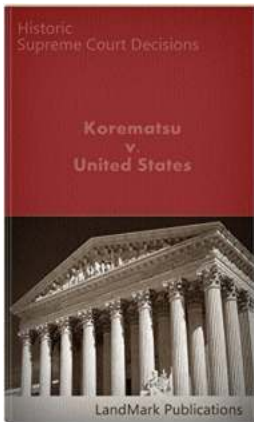
Revisiting *Korematsu United States 323 Us 214 1944*: One of the 50 Most Cited Cases in American History



In the annals of American legal history, there are certain landmark cases that leave an indelible mark on the country's jurisprudence. One such case is *Korematsu United States 323 Us 214 1944*, which has been frequently cited and analyzed for its impact on civil rights. With its complex legal arguments and lasting implications, this case continues to be both revered and debated.

The Origins of *Korematsu United States*

Korematsu v. United States was a Supreme Court ruling that emerged from the aftermath of the Japanese attack on Pearl Harbor during World War II. In response to concerns about national security, President Franklin D. Roosevelt signed Executive Order 9066, authorizing the forced relocation and internment of Japanese-Americans living on the West Coast. Fred Korematsu, a Japanese-American citizen, refused to comply with the order and was subsequently arrested.



Korematsu v. United States, 323 US 214 (1944) (50 Most Cited Cases) by LandMark Publications (Kindle Edition)

★★★★★ 5 out of 5

Language	: English
File size	: 181 KB
Text-to-Speech	: Enabled
Screen Reader	: Supported
Enhanced typesetting	: Enabled
Word Wise	: Enabled
Print length	: 49 pages
Lending	: Enabled



The case reached the United States Supreme Court in 1944, and the question before the Court was whether the forced internment of Japanese-Americans was constitutional. Despite arguments highlighting the violation of civil liberties, the Court ruled 6-3 in favor of upholding the internment policy as a wartime necessity.

Legal Arguments and Ruling

The majority opinion, written by Justice Hugo Black, reasoned that the internment of Japanese-Americans was justifiable as a strategic military action to prevent espionage and sabotage. The Court relied on the government's argument of

"military urgency" and held that the need for national security outweighed Korematsu's individual rights.

However, the dissenting opinions raised strong objections. Justice Robert H. Jackson, in his dissent, argued that the majority's decision was a "loaded weapon" to be used in the future against any minority group deemed a threat. He believed it was a clear violation of the individual's constitutional rights and a dangerous expansion of executive power.

Legacy and Continuing Relevance

The Korematsu decision has been widely criticized throughout history. It has been likened to the Supreme Court's infamous Dred Scott decision, which upheld slavery, and Plessy v. Ferguson, which upheld racial segregation. Despite its controversial nature, the Korematsu ruling has never been officially overturned by the Supreme Court.

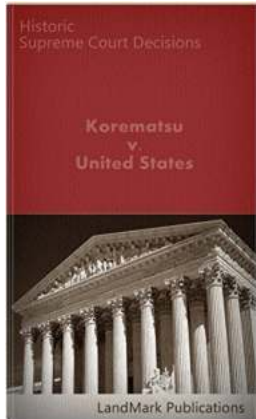
Its impact extends beyond the legal sphere. The case has served as a reminder of the dangers of unchecked executive power and the potential erosion of civil liberties during times of crisis.

The Korematsu ruling has also been invoked in subsequent legal battles against discrimination, such as the challenges to Japanese internment reparations and the treatment of Muslim-Americans after the September 11 attacks. Scholars and activists often point to the Korematsu case as a cautionary tale and a call to protect civil rights.

Korematsu United States 323 Us 214 1944 remains one of the most cited cases in American legal history. Despite the passage of time, its implications and controversies continue to captivate scholars, legal practitioners, and the general public alike. The case raises crucial questions about the balance between

national security and the preservation of individual rights during times of crisis, ensuring its enduring significance in the American legal discourse.

Disclaimer: This article is for informational purposes only and does not constitute legal advice. Please consult with a legal professional for your specific legal concerns.



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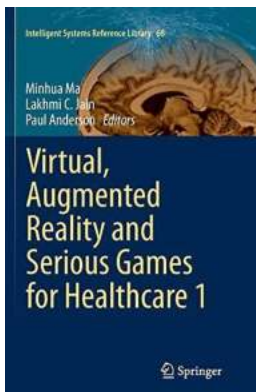
Korematsu is number 22 on the list of most cited US Supreme Court decisions. This ebook contains the full text of the Korematsu decision, once concurring opinion and three dissents.

Fred Korematsu, a law-abiding American citizen was arrested during World War II and charged with disobeying a military order that all Japanese leave the West coast. The Supreme Court sided with the government and held that the need to protect against espionage outweighed Fred Korematsu's rights.

The court found that all legal restrictions which curtail the civil rights of a single racial group are immediately suspect, but not all such restrictions are

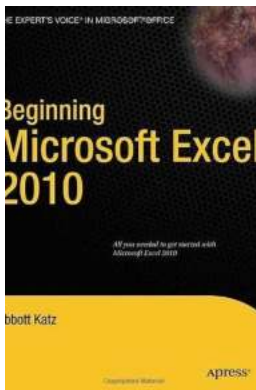
unconstitutional. Justice Black argued that compulsory exclusion of large groups of citizens from their homes, except under circumstances of direct emergency and peril, is inconsistent with our basic governmental institutions. But when under conditions of modern warfare our shores are threatened by hostile forces, the power to protect must be commensurate with the threatened danger.

Korematsu v. United States, 323 US 214 (1944)



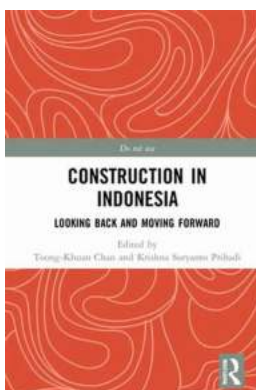
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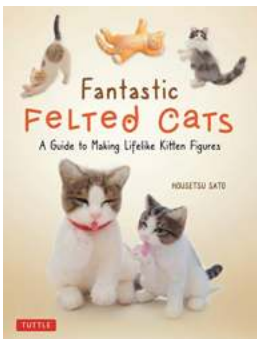
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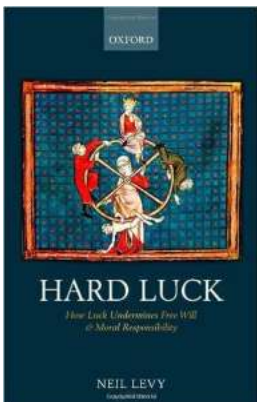
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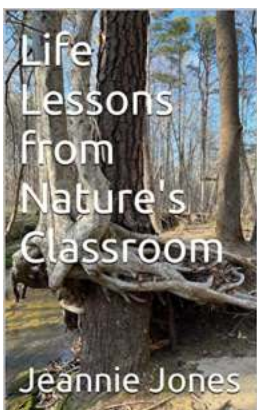
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