

The Japanese in the United States in the Early Twentieth Century

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Chapter I

THE JAPANESE AT THE TURN OF THE CENTURY

The year 1900 brought 12,635 new Japanese arrivals to the United States, mainly to the West Coast. This was a large increase since there was only a total of 2,039 Japanese in the country only a decade before. The main reason for this big jump was Hawaii's annexation to the United States that year. The Organic Act enacted in 1898 by Congress gave American citizenship to all Hawaiians. Moreover, the new American law prohibited importation of contract labor, a practice the kingdom of Hawaii had been following to meet its demand for sugar plantation workers; the new law also invalidated the contracts previously entered into there. This freed thousands of Japanese contract laborers from Hawaii where wages were low, alternative opportunities lacking and racial discrimination prevailed. Many of them came to the mainland, seeking a higher wage and better working conditions—a cause for alarm on the West Coast: “yellow flood.” When the census was taken that year, the Japanese occupied only two-thirds of one percent of the total population in California, as the following will indicate:

	U. S. Population			California Population	
	Total	Japanese	Chinese	Total	Japanese
1890	63,000,000	2,039	107,488	1,200,000	1,147
1900	76,000,000	24,326	89,900	1,500,000	10,151

1) Harry H. L. Kitano, “Japanese Americans: The Development of a Middleman Minority,” *Pacific Historical Review*, November 1974): p. 506.

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The two-thirds of one percent, however, along with the Chinese, proved to constitute a focus of much racial agitation. For example, a Chinese victim of bubonic plague was discovered in San Francisco in 1900. Panic-stricken, Mayor Phelan held all the Orientals in the city under quarantine and ordered mass inoculation. He did not explain why it was not necessary for the Caucasian citizens to be inoculated. The Japanese community protested; many doctors thought it was contrary to both medical science and moral decency. Yet, it was only after the San Francisco businessmen found that the plague scare was hurting business that the mayor conveniently decided there had been no outbreak of bubonic plague.

That year there was an effort of organizing hitherto sporadic hostility against the Japanese. In May a mass meeting was held in San Francisco to force the passage of the extension of the Chinese Exclusion Law of 1882. It was then resolved by labor leaders and politicians such as Mayor Phelan who counted on the labor votes, that an act be enacted by Congress for the total exclusion of the Japanese as well. The first anti-Japanese move by the California government was recorded the following year when Governor Gage sent a message to the state legislature, asking

for the passage as a matter of urgency of appropriate resolutions instructing our Senators and requesting our Representatives in Congress for the immediate institution of all proper measures leading to the revision of the existing treaties with China and Japan, and the passage of all necessary laws and resolutions for the protection of American labor against the immigration of oriental laborers.²⁾

A similar resolution was adopted again by the state legislature in March, 1905. It demanded that Congress act immediately to restrict the further Japanese immigration. This was preceded by the *San Francisco Chronicle's* campaign against the Japanese, which started that year, on February 23, with the front page headline: THE JAPANESE INVASION, THE PROBLEM OF THE HOUR. Some of the subsequent headlines included: JAPANESE A MENACE TO AMERICAN WOMEN, BROWN MEN AN EVIL IN THE PUBLIC SCHOOLS. In the meantime, 45,000 more Japanese came to the United States between 1903 and 1905. Japan itself won the Russo-Japanese War in both land and naval battles: another anti-Japanese cause since it challenged white military supremacy in Asia for the first time.

The Caucasian laboring people, threatened by the increasing presence of the Japanese and other Oriental immigrants, formed the Asiatic Exclusion League in May, 1905, and within a year it claimed a membership of more than 75,000. They also happened to control the city government in San Francisco now through their representative, Mayor Schmitz. Thus, politics, labor and the press were gathering their forces together in an

2) Yamato Ichihashi, *Japanese in the United States*, (New York: Arno Press and the New York Times, 1969), p. 231.

effort to combat the "yellow peril" when the famous earthquake attacked the city on April 18, 1906. The fires followed. In the ensuing mass hysteria Japanese were assaulted, including one Consulate's secretary and a visiting University of Tokyo professor. The Japanese businesses, especially restaurants, were picketed and boycotted by union members with violence and a slogan: "White men and women patronize your own race." The Japanese government donated almost a quarter million dollars, a sum more than the combined total of donations made by all other countries, to the general disaster fund. It also gave \$25,000 to the Japanese community in the stricken area.³⁾ Altogether, ten thousand Japanese were made destitute. Yet, among the 30,000 earthquake victims who applied for rehabilitation there was not a single Japanese.⁴⁾ The Japanese stood up again on their own in spite of this racial, economic and sometimes violent hostility.

Chapter II SAN FRANCISCO EDUCATION BOARD

In 1906, the San Francisco Board of Education adopted a policy of segregation in the public schools. Earlier, on June 15, 1893, the *Chronicle* reported perhaps the first reference to segregating Japanese children in San Francisco: "Director Burke introduced a resolution providing that hereafter all persons of the Japanese race seeking entrance to the public school must attend what is known as the Chinese school. It was adopted."⁵⁾ It should be recalled that the 1890 census recorded only 1,147 Japanese in the state. At the protest of the Japanese consul, the Board voted again to rescind it. On May 6, 1905, a similar resolution was adopted. On October 11, 1906, the Board passed yet another resolution, which in part read as follows:

Resolved that in accordance with Article 10, section 1662 of the School Law of California, principals are hereby directed to send all Chinese, Japanese and Korean children to the Oriental School, . . . on and after Monday, October 15, 1906.

One possible explanation for the Board's action is that two leading San Francisco politicians were soon to be indicted on the charges of graft, a popular practice then, and wanted to disperse attention.⁶⁾ Another possibility was the fact that the Labor Party was in control of the city government.⁷⁾ When October 15 came, one Japanese pupil went to the assigned school; the others, altogether ninety-two pupils, including twenty-five Nisei

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- 3) Audrie Girdner and Anne Loftis, *The Great Betrayal*, (New York: Macmillan, 1969), p. 50.
The Japanese government's concern with the Japanese in the United States in general and in the West Coast in particular seems to have been only natural since they were mostly "aliens ineligible to citizenship." In other words, they were Japanese nationals.
 - 4) Ibid.
 - 5) Bill Hosokawa, *Nisei, The Quiet Americans*, (New York: William Morrow, 1969), p. 85.
 - 6) Ibid., p. 86.
 - 7) Yamato Ichihashi, *Japanese*, p. 236.

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(American citizens), who had attended twenty-three public schools previously, either stayed home or went to a special school arranged by their parents. The *Japanese American* said in its editorial that "to walk over miles of desolation through the burned district every day, among every possible form of danger, is indeed an impossible task even for the strongest adult."⁸⁾ The Japanese community decided to fight. George Tagasaki, one of the former pupils affected by the Board's action, who later became President of Rotary International in 1968-69, recalled :

I am confident that the decision to fight was a very large factor in the subsequent integration of Nisei, and the respected position they hold today, in the greater American community.⁹⁾

Though aware of the growing anti-Japanese agitation on the West Coast in general, President Roosevelt did not know this sudden segregation policy until the Japanese government complained. It should be remembered that sixty-eight of the pupils involved were Japanese citizens. The Japanese government criticized the California school decision as a violation of the most favored nation clause reciprocally guaranteed between the two countries under the 1894 Commerce and Navigation Treaty. In Japan, following the anti-American riots, some newspapers advised a show of its newly acquired prestige and military strength. Pressed by international protest and attention on an essentially local issue, Roosevelt decided to send his Secretary of Labor and Commerce, Metcalf, to California, where he was to talk with the "idiots" over the matter of "wicked absurdity." Metcalf found the resistance strong. The Board of Education, for example, stood firm with its resolution. The *Chronicle* ridiculed the Commerce and Navigation Treaty, saying that going to school was a question of neither trade nor navigation.

In his annual message to Congress delivered on December 3, 1906, the President said that

it is most discreditable to us as a people and may be fraught with the gravest consequences to the nation. . . . They (Japanese) are welcome, socially and intellectually, in all our professional and social bodies. . . . But here and there a most unworthy feeling has manifested itself. . . in shutting them out from the common schools in San Francisco, and in mutterings against them in one or two other places, because of their efficiency as workers. To shut them out from the public schools is a wicked absurdity when there are no first class colleges in the land, . . . which do not gladly welcome Japanese students. . . . In the matter before me affecting the Japanese, everything that is in my power to do will be done, and all the forces, military and civil, of the United States which I may lawfully employ will be so employed.

He went on to recommend the legislation "specifically providing for the naturalization of Japanese who come here intending to become American citizens."¹⁰⁾

8) Audrie Girdner and Anne Loftis, *Betrayal*, p. 51.

9) Bill Hosokawa, *Nisei*, p. 87.

10) In the 1905 annual message, the President had also recommended the naturalization law, saying

Both Bill Hosokawa and Roger Daniels dismiss the President's naturalization proposal¹¹⁾ With the benefit of hindsight it may be, to verify their position, pointed out that Roosevelt never proposed it publicly again nor is there evidence that he pushed it to be enacted. In fact, a federal desegregation suit had been prepared against the Education Board by Secretary of State Root himself in cooperation with the Justice Department lawyers, but was later dropped. President Roosevelt instead invited, in February, 1907, the San Francisco Board of Education to the White House and successfully persuaded them to revoke the resolution. On March 13, 1907, the Board accordingly nullified the resolution :

Resolved and ordered, that the following resolution, adopted by the Board of Education, October 11, 1906, be, and the same is hereby repealed, excepting in so far as it applies to Chinese and Korean children, . . .

Thus Japanese children started to go back to the public schools they had formerly attended. The President also succeeded, with cooperation from Governor Gillett of California, in restraining the state legislature from passing an anti-Japanese alien land law.

Chapter III

THE GENTLEMEN'S AGREEMENT AND ALIEN LAND LAW

Following a series of meetings with the President in February, Mayor Schmits, charged with extortion on five accounts and on bail at the time, issued a statement in Washington :

We have every reason to believe that the administration now shares, and that it will share, our way of looking at the problem, and that the result we desire—the cessation of the immigration¹²⁾ of Japanese laborers, skilled and unskilled, to this country, will be speedily achieved.

Then, he referred to the Presidential ban on the Japanese immigration coming into the United States from Hawaii, Mexico and Canada as a "striking proof of the administration's attitude." Concerning the federal suit being prepared against the San Francisco Board, the mayor made it clear in the same statement that

We feel that the question whether the right at issue (of the Japanese children) was or was not given by treaty has been passed and has been absolutely eliminated from the controversy, . . .

that America could not afford to consider "whether he is English or Irish, Frenchman or German, Japanese. . . ." But the entire Chinese coolie class was not included in his proposal. Later, Roosevelt said that "It is eminently undesirable that Japanese and Americans should attempt to live together in masses, . . . not because either nation is inferior to the other; it is because they are different. . . . An effort to mix together. . . would be fraught with peril; . . ." Theodore Roosevelt, *Autobiography*, (New York: Charles Scribner's Sons, 1913), p. 381.

11) Bill Hosokawa, *Nisei*, p. 89.

12) Ichihashi, *Japanese*, p. 243.

And the only reason the Board was to change its mind and to revoke the resolution was because the segregation might complicate and hinder the achievement of the exclusion of the Japanese. This was manifest in the following portion of the statement :

Such being the case, we are full in accord with the view of the administration to the effect that the attainment of the exclusion of all Japanese laborers, skilled or unskilled, should not be complicated with or endangered by the exercise of segregation right by the School Board, authorized by Section 1662 of the Political Code of the State of California.

The President, reflecting the "administration's attitude," started to exchange a series of notes with the Japanese government, which later became known as the 1907 Gentlemen's Agreement. He promised the Japanese children's right to attend public schools in the United States and the Japanese government, in return, agreed to curb its laborers—both unskilled and skilled—emigrating to the United States by refusing them passports. Exceptions were made and agreed upon that passports would be issued for 1) relatives of residents, 2) former residents, and 3) settled agriculturalists. Approximately the same allowance was made for those bound for Hawaii

The Japanese were now cut off from both direct and indirect routes to the United States. One Japanese community leader, Kyutaro Abiko, the editor of the *Japanese American News*, accused the official Japanese policy and criticized the agreement as a totally unnecessary capitulation.¹³⁾ Many Issei Japanese started to go home to Japan. The effect of the Gentlemen's Agreement was also felt almost immediately in the number of the passports issued by the Japanese government for those bound for Mexico. A total of 3,945 was issued in 1907; in the following six years, the total dropped to 308. In the 1907 fiscal year, there were 9,948 new Japanese arrivals in the United States; the following year, 7,250 arrivals. During the five-year period ending in 1913, there were altogether 21,441 arrivals including non-immigrants while 26,981 left the United States,¹⁴⁾ a decrease of 5,540. In 1909, the number of arrivals dropped below a thousand, a pre-1890 level. The exclusion agreement was later confirmed in the 1911 revision of the Commerce and Navigation Treaty.

Historians agree that the anti-Japanese hostility was chiefly of an economic nature. It should be recalled that as early as 1907 the California legislature attempted to pass an anti-Japanese land law and abandoned it only at the Presidential intervention. Since the state could not pass an exclusion law, they resorted to the passage of an alien land law, which would prohibit ownership of lands by aliens (meaning at that time Asiatics), thereby discouraging the immigration, in an attempt to achieve a virtual exclusion. Their efforts for the passage of such a law never ceased. First, their effort was aimed at the Chinese until they could put them "in their own place," and now, in the early twentieth

13) Girdner and Loftis, *Betrayal*, p. 54.

14) Ichihashi, *Japanese*, p. 247.

century, at the Japanese. Their reasoning, to say the least, was peculiar. The Chinese were hated for their "servility," and the Japanese for their industry and ambition. The Chinese were accused of living in the cities; the Japanese of staying on the farms mostly in the areas that Caucasians had abandoned or didn't even try to reclaim.

In 1909, the state of California made an appropriation of \$10,000 for a thorough investigation into the whole problem of Japanese immigration. The report was submitted in May, 1910. It proved unexpectedly favorable to the Japanese. The report said "Japanese farm-hands were earning, in 1909, better wages than white men engaged in the same work, and strange to say, Japanese employed by a Japanese received higher wages than those employed by white men. . . as a whole they are developing uncultivated lands and carrying on forms of agriculture which would remain largely undeveloped if left to whites." The report was never published.¹⁵⁾

In 1907, both the state legislature in California and Congress were controlled by the Republicans. President Roosevelt himself was a Republican. In 1913, unfortunately for the Japanese immigrants, that balance was tipped. In California the Republican Party still controlled the state legislature under the leadership of Governor Hiram Johnson, who two years earlier "sat upon the lid" and prevented the passage of anti-Japanese bills, cooperating with President Roosevelt. However, he didn't have to comply with federal intervention now; Democrats outnumbered Republicans in Congress and Woodrow Wilson was in the White House.¹⁶⁾ California's Attorney General Ulysses Webb and Senator Francis Heney led the way, in May, 1913, to the successful passage of anti-Japanese land legislation. President Wilson had sent his Secretary of State, William Bryan, to Sacramento on April 28. The only compromise that Bryan could secure with the state leadership was that the word "Japanese" was not used in the law, which was to pass the state Senate 35-2 on May 2 and the Assembly 72-3 the following day. "After giving the President a 'reasonable' time to examine it and communicate with him about it,"¹⁷⁾ Governor Johnson signed the Alien Land Law of 1913 on May 19 and it thus became law.

The law now prohibited the further purchase of land by the Japanese; but it did permit land leasing. Besides, the increasing number of Issei population purchased land under the names of their children, American citizens by virtue of birth. Another loophole was through land corporations with Caucasians who assumed semi-control of the land purchased.

The Japanese government naturally protested. Secretary Bryan explained that the law

15) *Nation*, June 25 1914, p. 755.

16) President Wilson, though liberal in many aspects, was conservative in the race matter. In 1912, a year before the passage of the bill to be discussed presently, he in a public speech claimed that the United States could not make a "homogenous population of a people who did not blend with the Caucasian race." Girdner and Loftis, *Betrayal*, p. 60.

17) *Nation*, May 8 1913, p. 458.

stemmed from local business difficulties rather than racial antagonism, a feasible excuse that the Japanese government did not take at face value. It regarded the law as racially biased when it said :

Whatever causes might have been responsible for the measure, it could not be denied that in its final manifestation it was clearly indicative of race prejudice.¹⁸⁾

The view proved to be correct when compared with the statement made by the author of the act, Attorney General Webb of California :

The fundamental basis of all legislation upon this subject, State and Federal, has been, and is, race undesirability. . . . (The law) seeks to limit their presence by curtailing their privileges which they may enjoy here ; for they will not come in large numbers and long abide with us if they may not acquire land.¹⁹⁾

The Japanese protest was a far cry, which fell short of its target since the federal government could not effectively cope with the goals of exclusionists, since they were supported by the people in the state in general and by the anti-Japanese organizations in particular. The American Legion rallied under their flag. So did the Native Sons and Daughters of the Golden West. The Exclusion League had a membership of 110,000 in 1908 ; it consisted of 238 affiliated bodies in 1909, most of which were labor organizations (20).²⁰⁾ Politicians and organizations had the solid backing of the press in several Hearst newspapers and the *Sacramento Bee*.

World War I brought a demand for foodstuffs and many Japanese farmers in California shared in the prosperity, with some bitter exceptions when their land was seized by the state "in the public interest." Following the end of the war, the Japanese government pressed hard to have a clause included in the proposed covenant of the League of Nations—a clause of equal and just treatment of all aliens and elimination of racial distinction by the member nations. The United States voted against it, and the proposed clause was killed. Back at home, in 1920, elections were held.

In California, Proposition One was placed on the ballot, which called for closing the loopholes in the 1913 Alien Land Act. That year the *Saturday Evening Post* serialized Wallace Irwin's race-oriented story. Organizations screamed at the Japanese. For example, the Los Angeles County Asiatic Association's campaign pamphlet was headlined : "Save California—Stop Absorption of State's Best Acreage by Japanese Through Lease and Evasion Law." One candidate posed as the "defender of California against the Japanese invasion." The Japanese, who composed two percent of the California population in

18) Milton R. Konvitz, *The Alien and the Asiatic in American Law*, (Ithaca : Cornell University Press, 1946), p. 159.

19) Ibid.

20) Ichihashi, *Japanese*, p. 249.

1920, owned 1.6% of the state's farm land, most of which, as mentioned earlier, had been formerly reclaimed by them. They produced 13% of the produce of the state.²¹⁾ Yet, the public sentiment toward the appeals of demagogues was such that the voters passed the Proposition One by 668,483 to 222,086. Since there were 1,360,000 registered voters in the state that year, simple arithmetic tells us that nearly 470,000 voters did not vote. Similar alien land laws were adopted around this time in Washington, Oregon, Idaho, Nevada, Arizona, New Mexico, Texas, Nebraska and Delaware. The total Japanese population in the mainland United States, according to the 1920 census, was 111,010. They represented less than 0.11% of the total population (105,710,620).

The loopholes thus closed, the three-year lease and corporations were now illegal. Within a few weeks after the passage of the law, "many Japanese have left California to return to their native land, and the reason given in at least some instances has been their humiliation over the treatment given them by Californians."²²⁾ Other Japanese were obliged to returning to share-cropping and short-term tenant farming, which was later to be prohibited in the 1923 revision of the law. The *Nation* editorially said that "the United States does violence to its noblest tradition when it forbids Japanese to become naturalized citizens and otherwise discriminates against them. We believe in no regulation of Japanese immigration which is not applied to every other kind of immigration."²³⁾ Obviously, not too many people shared their opinion.

Chapter IV THE CITIZENSHIP STATUS

In 1922, a Japanese challenged the legality of the Alien Land Act. Takao Ozawa, the petitioner, brought suit seeking American citizenship, without which he could neither purchase or lease land since he was an "alien ineligible to citizenship." He had been denied American citizenship by a lower court eight years before. Born in Japan, he went to Hawaii where he stayed for twenty years before coming to California. One source described him as "a person of intelligence and good character."²⁴⁾ The Supreme Court's decision in this case was based on the naturalization law, which had been rewritten with the *Dred Scott* ruling in 1857 and the addition in 1868 of the Fourteenth Amendment to the Constitution. It now granted American citizenship to "free white persons and to aliens of African nativity and to persons of African descent." Ozawa's counsel, George Wickersham, formerly Attorney General under President Taft, argued that the basic Japanese stock was Ainu, although most anthropologists agreed that the Japanese were Mongolian with a strong strain of Caucasian blood. It was further presented that the

21) Girdner and Loftis, *Betrayal*, p. 61.

22) *Nation*, February 2 1921, p. 172.

23) *Ibid.*, p. 167.

24) Girdner and Loftis, *Betrayal*, p. 69.

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Magyars of Hungary were naturalized in the United States despite the fact that they were of Mongolian origin. Another point Wickersham brought before the Court was that the phrase "free white persons" as originally used by Congress in 1790 was intended to distinguish black people from others. On November 13, the Supreme Court ruled on the *Ozawa* case. The Court held unanimously that :

The appellant in the case now under consideration, however, is clearly of a race which is not Caucasian, and therefore belongs entirely outside the zone on the negative side. A large number of Federal and state courts have so decided, and we find no reported case definitely to the contrary. These decisions are sustained by numerous scientific authorities, which we do not deem necessary to review. We think these decisions are right, and so hold.²⁵⁾

Following this decision, clerks of lower courts were ordered to refuse to file papers of those who were or whose husbands were of the Japanese race.

Congress had earlier enacted a law that offered citizenship to "any person of foreign birth who served in the military or naval forces of the United States" during World War I. Many Japanese who served in the Army or Navy took this opportunity, and were granted citizenship. This exception was ruled void by the Supreme Court in 1925. The Court in the *Toyota* case held :

There is no question that a Japanese who has not served in the Army or Navy of the United States cannot be admitted for naturalization. . . . It is contended, however, that a different rule applies to persons who have been in the United States military and naval service. . . . This is denied.

The above two decisions, along with *Yamashita* and *Kono* cases, affected many Japanese. The census for 1920 and 1930 enumerated the following :

	Total Japanese	Alien	Citizen
1920	111, 010	81, 383 (73. 3%)	29, 672 (26. 7%)
1930	138, 834	70, 477 (50. 8%)	68, 357 (49. 2%)

Their plight and fight were to continue until 1952 when the McCarran-Walter Act passed Congress, which eliminated the Exclusion Law of 1924.

The Nisei Japanese, or the Issei's children, held dual citizenship. Before 1924 this was due to the fact that the two countries maintained two different principles of citizenship. On one hand, the United States government practiced the principle of *jus solis*, which holds that a child takes the citizenship of the country of his birth. Children of Japanese parents when born in the United States were, therefore, American citizens. Japan, on the other hand, maintained the *jus sanguinis* principle, which holds that a child born

25) *Law Cases Affecting Japanese in the United States*, I, 120, pp. 1—120, quoted in Yamato Ichiha-shi, *Japanese*, p. 298.

abroad takes the citizenship of his parents.²⁶⁾ Children born in the United States of Japanese parents, therefore, were also Japanese citizens. In 1920, there were, as the census quoted above made clear, 29,672 Japanese-American "dual citizens" in the country.

This complex situation was remedied when the Japanese government amended its Nationality Law on December 1, 1924. The amended law stated that Japan no longer claimed a child born of Japanese parents in the United States as its citizen unless he, within 14 days after birth, declared his wish to be a Japanese citizen in addition to being an American citizen. Those who were born before December 1, 1924, could now cancel their Japanese citizenship by notifying the government. It was also provided that they, after once cancelling the Japanese citizenship, could be naturalized again in Japan. The Japanese amendment of the law thus helped Nisei population out of the complex situation.

The Cable Act, which passed the United States Congress in 1922, created a problem for some Japanese. It provided that "any woman citizen who marries an alien ineligible to citizenship shall cease to be a citizen of the United States," and that "no woman whose husband is not eligible to citizenship shall be naturalized under the continuance of the marital status." There was a racial tone in this act as it stipulated that, though a Caucasian woman could regain her citizenship by naturalization if her marriage ended in divorce, a Nisei woman could not regain hers. The law was to stay in force until March 4, 1931, when it was amended.

Statistics are unfortunately not available as to how many such interracial marriages existed. One case on record is shown in the statement made by a former Congregational clergyman, Ralph Newman. Shortly before California passed the Alien Land Law back in 1913, Governor Johnson held a public hearing, and there the clergyman stated that

Near my home is an eighty acre tract of as fine land as there is in California. On that tract lives a Japanese. With that Japanese lives a white woman. In that woman's arms is a baby. What is that baby? It is a germ of the mightiest problem that ever faced this state; a problem that will make the black problem of the South look white.²⁷⁾

It is well known that the Japanese did not marry or cohabit outside their own race until recently.²⁸⁾ Yet, interracial marriages—of the Japanese to Caucasians—were a cause of protest raised by extremists against them.²⁹⁾ This view is also supported by Ichihashi, who,

26) The United States has maintained this principle as well.

27) Ichihashi reports that he knew the baby in question and that "Seventeen years have elapsed since then, and the young lady has failed to constitute the germ of the mightiest problem that ever faced this state." Ichihashi, *Japanese*, p. 218.

28) Kitano reports that recently "the rates of intermarriage of the Japanese in such areas as Honolulu, Fresno, San Francisco, and Los Angeles are at the fifty percent level." Harry H. L. Kitano, "Middleman Minority," *Pacific Historical Review*, (November 1974): p. 518.

29) Roger Daniels, *Concentration Camps U.S.A.*, (New York: Holt, Rinehart and Winston, 1972), p. 15.

referring to the few cases of intermarriage, quotes the 1909 Immigration Commission remark: "they are of interest chiefly in connection with the strong protests which are called forth and given expression through the press."³⁰⁾

Chapter V THE NATIONAL ORIGIN ACT OF 1924

On September 2, 1920, the Japanese Exclusion League was formed in Native Sons Hall in San Francisco, which in 1923 was absorbed in the California Joint Immigration Committee. Such powerful organizations were represented in this group as the American Legion, the Native Sons and Daughters of the Golden West, California State Federation of Labor, California Federation of Women's Clubs, California State Grange, Farm Bureau and Loyal Order of the Moose. Although the participating organizations did not have much in common, they did share one thing: anti-Japanese hostility. The League was headed by Valentine McClatchy, former publisher of the *Sacramento Bee*, and kept pushing for the enactment of a federal Japanese exclusion law.

Due, in part, to the pressure of the League, an immigration bill was introduced close to the end of 1923 by Congressman Albert Johnson of Washington. The main purpose of the proposed bill was to prohibit admission to the country of aliens ineligible to citizenship (namely, Asiatics) in favor of European immigrants. Repeating the same pattern of the Education Board incident of 1907, regional prejudice was thus brought to the national level once again. The bill was soon sent to the Senate, where it met some opposition.

At the Senate Immigration Committee hearings, the former Senator Phelan, who was the mayor during the 1907 incident, stated in favor of the bill:

The people of California object to the Japanese—and I say it involves the whole question—because of racial and economic reasons.³¹⁾

Representing the California Joint Immigration Committee, McClatchy testified:

Of all the races ineligible to citizenship, the Japanese are the least assimilable and the most dangerous to this country. . . . with great pride of race, they have no idea of assimilating in the sense of amalgamation.³²⁾

How it might be possible for the Japanese to assimilate when their major economic

30) Immigration Commission Reports, XXIII, 163, quoted in Ichihashi, *Japanese*, p. 217. In 1880 the California Civil Code was amended to prohibit the issuing of licenses for the intermarriage involving Caucasians. In 1905, the same code was amended to make the marriage of Caucasians with Mongolians and others illegal and void. In 1967 the Supreme Court ruled that the laws prohibiting interracial marriage were unconstitutional.

31) Hosokawa, *Nisei*, p. 110.

32) *Ibid.*

opportunity was taken away and the laws prohibited interracial marriage, this one-time Associated Press director did not explain. However, McClatchy disagreed with most extremists on one point: the Japanese were not immoral undesirables. Girdner and Loftis point out that as far as McClatchy saw it, "it was precisely because they were not (immoral)—because they were neither lazy nor immoral nor lawless—that they were so dangerous."³³⁾ His was a strange but at least honest argument.

The bill reported to the Senate included a quota provision which would have granted 146 Japanese immigrants per year—an inoffensive gesture on the part of the United States to the Japanese government. Many Senators were willing to grant it. Secretary of State Charles Hughes himself supported the provision, as well as continuation of the 1907 agreement since they together would provide "double control" of immigration from Japan. His insistence on the continuation, however, proved to be objectionable to some of the Congressmen. They felt that their legislative power was slighted. The House Immigration Committee's report accompanying the bill reflected their resentment, which stated:

The committee feels justified in offering a provision that persons ineligible to citizenship shall not be admitted as "immigrants."

As far as concerns conflict with the gentlemen's agreement the committee is somewhat handicapped in reaching a conclusion by a lack of information as to the exact provisions of that agreement. . . . This much is certain. . . . Under the agreement the United States bound itself to admit any Japanese who presents himself bearing Japan's passport, . . . ; that is to say, the congressional prerogative of regulating immigration from Japan has been surrendered to the Japanese Government. That condition, coupled with the fact that the terms of the agreement are secret,³⁴⁾ would justify immediate cancellation of the agreement.

It was at this point that Secretary Hughes suggested that the Japanese Ambassador to Washington, Masanao Hanihara, write a letter describing the agreement and Japan's position concerning the immigration issue. He obliged. On April 6, 1924, Hanihara wrote a letter addressed to Hughes, which in part read:

It is in no way intended as a restriction on the sovereign right of the United States to regulate its immigration. This is shown by the fact that the existing immigration Act of 1917, for instance, is applied to Japanese as to other aliens.

. . . . after thorough but most friendly and frank discussions between the two Governments, the Gentlemen's Agreement was made for the purpose of relieving the United States from the possible unfortunate necessity of offending the national pride of a friendly nation.

The Japanese Government have most scrupulously and faithfully carried out the terms of the agreement as a self-imposed restriction, and are fully prepared to continue to do so as officially

33) Girdner and Loftis, *Betrayal*, p. 66.

34) Ichihashi, *Japanese*, p. 305.

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announced at the time of the conclusion of the present treaty of commerce and navigation between Japan and the United States.³⁵⁾

Then, the letter mentioned statistics as to how many Japanese were admitted to the United States and how many departed :

in the years 1908—1923, the total number of Japanese admitted to and departed from the continental United States were respectively, 120,317 and 111,626. In other words, the excess of those admitted over those departed was, in fifteen years, only 8,681, that is to say the annual average of 578.³⁶⁾

Ambassador Hanihara, then, protested the proposed bill, stating :

It is indeed difficult to believe that it can be the intention of the people of your great country, who always stand for principles of justice and fair play in the intercourse of nations, to resort—in order to secure the annual exclusion of 146 Japanese—to a measure which would not only seriously offend the pride of a friendly nation, . . . but would also seem to involve the question of good faith and therefore the honor of their government, or at least of its executive branch.³⁷⁾

He concluded the letter with the following words :

Relying on the confidence you have been good enough to show me at all times, I have stated or rather repeated all this to you very candidly and in a most friendly spirit, for I realize, as I believe you do, *the grave consequences* (italics mine) which the enactment of the measure retaining that particular provision would inevitably bring upon the otherwise happy and mutually advantageous relations between our two countries.

Secretary Hughes in his reply wrote that the essential points concerning the agreement as expressed by the ambassador was also his own. The ambassador's letter was made public in the hope that it might clarify misunderstanding. It was also printed in the *Congressional Record* for April 11. It received no attention until three days later.

On April 14, Henry Cabot Lodge, Senator from Massachusetts, “stepped in and in an astonishing performance³⁸⁾” stated on the Senate floor that

The letter . . . has created a situation which makes it impossible for me to support the pending amendment—the amendment has now assumed the dignity of a precedent, and I shall never consent to establish any precedent, which will give any nation the right to think that they can stop by threats or complaints the action of the United States when it determines who shall come

35) Ibid., p. 306.

36) Some minor numerical conflicts are found here. One source states that the years covered are 1909—1923; the number of those who departed was 111,636, a difference of 10. The annual average, therefore, was 620. Sydney Gulick, *New Factors in American-Japanese Relations and a Constructive Proposal*, (New York, 1924), quoted in Ichihashi, *Japanese*, p. 406.

37) Hosokawa, *Nisei*, p. 111.

38) Ibid., p. 110.

within its gates and become part of its citizens.³⁹⁾

Senator Lodge thus converted the meaning of "grave consequences" to "veiled threats" against the United States: "The United States cannot legislate by the exercise by any other country of veiled threats." Now the bill was a matter of national honor; and the Senators who had previously favored the proposed Japanese quota and/or the continuation of the Gentlemen's Agreement changed their minds and joined the exclusionists.

The Senate rejected the agreement by a vote of 76-2. On April 16, a new amendment passed the Senate, 71-4. The amendment provided for the exclusion of an "alien ineligible to citizenship." On May 15, the House passed the new immigration law 398 to 62; the Senate 69-9. On May 26, President Coolidge signed it, regretting, however, that it was impossible for him to separate the exclusion provision from the rest of the bill "which in the light of existing law affects especially the Japanese," and stated that if the provision had stood alone, he "would disapprove it without hesitation. . . ." The exclusion provision went into effect on March 1, 1925. Perhaps the "grave consequences" of the exclusion law, as historians point out, were the fact that the Japanese military was to take over the liberal pro-Western civilian leadership. They see this change of political leadership as "the turning point on a national course that led Japan inevitably to military aggression in Asia, and ultimately to war against the United States."⁴⁰⁾

Typically, the West Coast was delighted at the enactment news. Former California Senator Phelan wrote: "I am repaid for my efforts, the Japs are routed." The immediate response in Japan to the passage of the new law was typified, in addition to the universal dismay and resentment, by the resignation in protest of the American Ambassador, C. E. Woods, who on leaving Japan, criticized the exclusion law:

Japan does not want to force emigrants upon the United States if we do not wish to receive them. The Japanese government, I believe, would be willing to agree to almost any form of restrictive treaty, but the exclusion provision in the immigration bill has struck a blow to their natural pride. . . . The people of Japan were and are at a loss to understand what happened; they are surprised and hurt rather than resentful.⁴¹⁾

Ambassador Hanihara also resigned in July, 1924. He was never to speak publicly about the issue until 1930, when at the farewell party given in honor of the American Ambassador Castle he stated:

Naturally the Japanese government and people deeply resented this, and that resentment is felt now as it was then. Nor will it ever die out so long as the wound inflicted remains unhealed. Friendship once marred in this manner can with difficulty resume its wholesome growth unless

39) Ichihashi, *Japanese*, p. 307.

40) Hosokawa, *Nisei*, p. 113.

41) Ichihashi, *Japanese*, p. 311.

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some effective remedy is administered.⁴²⁾

The pressure unproportionately exercised by the vocal regional groups of the West, especially of California, proved to be successful in keening that “effective remedy” out of national attention for a long time to come. It was not until the McCarran-Walter Act was enacted in 1952 that Japan was granted an immigration quota. The 1952 act also invalidated the Exclusion Law of 1924, thereby legally giving naturalization and citizenship to the Japanese who were hitherto categorized as “aliens ineligible to citizenship.”

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42) Ibid., p. 367.