

January 19, 1942

Dear Mr. Attorney General:

Thankyou for your prompt attention to my previous letter. I realize that I was most vague in my statement regarding the citizenship of American born Japanese.

(insert) As you undoubtedly know, the provisions of the Japanese law create a most peculiar situation in the case of American born Japanese. The Japanese statute in substance provides that the first born of all Japanese subjects abroad shall be subjects of the Empire of Japan, if and in the event the parents of such Japanese children born abroad shall register their birth with the nearest Japanese Consular office within a period of fourteen days after birth. It is known that most Japanese aliens in the United States have complied with this Japanese statute on behalf of their children, not only first born, but all of the first generation American born and in many cases second generation American born. The record of such registration would have been in the files of the Consular office in this country, but undoubtedly were destroyed with the outbreak of war.

This presents an unfortunate situation legally, since it obviously will be difficult or impossible to prove whether the registration has been made. Certainly many American born Japanese do not know whether such registration was made, but even if they do know, they would be most unlikely to admit it.

True, it would be difficult to prove, in most cases, that American born Japanese were Japanese citizens, but it would be equally difficult for them to prove that they had legally revoked such Japanese citizenship, which it can be assumed they acquired through the act of their parents. This is war. The burden of proof should be theirs.

72- Dual citizenship, as a legal matter, has long been a subject of controversy. As an international political matter it is something else. (Persons who know the Japanese of the west coast will estimate that ninety percent or more of American born Japanese are primarily loyal to Japan.)

It would seem that the congress of the United States has absolute power to determine the conditions under which United States citizenship shall be lost. Already the statutes provide that the swearing of allegiance to a foreign government, in some cases the marriage to an alien, or residence abroad for a certain period of time shall cause the forfeiture of United States citizenship. Under the present statutory provisions the entire matter rests upon the intent of the individual at the time the prohibited action is committed, rather than upon the mere fact of the action itself. In the case of

children of aliens ineligible to citizenship under present statutes and with dual citizenship involve, it would seem that congress has full power to provide that there shall be a presumption that such children do not intend to retain American citizenship to the exclusion of the alien privileges. Certainly such a statute could be adopted as a wartime measure.

The government of the United States already has made use of extraordinary wartime powers with the purpose of dealing with enemy aliens. The congress undoubtedly could extend those powers to cover the children of aliens, where those children have dual citizenship or are unable to disprove the supposition that they have it. The supposition is based on known practices of the group.

Another means by which a policy might be formulated will be found in the Trading With the Enemy Act, which contains very severe penalties applicable to American citizens dealing with enemy aliens in any business capacity. In the case of many of the aliens who have been interned by the Justice Department, their children, American citizens, have moved into control, operating the alien-owned business on behalf of the alien parent. There are many reasons to assume that the American born son moves into the service of the enemy alien organization, from which his parent has been removed, just as he moves into control of the business which continues to finance the operations of the enemy within. While waiting to gather evidence of the operation of the new leaders we permit them to extend their plans and to perfect their preparations for the day of disaster. The wartime power granted under the Trading With the Enemy Act would seem to apply.

Certainly the powers of the congress over the conditions of citizenship, as referred to above, indicate that if your department desires action, it will not be difficult to get.

Pressure applied on political officials by the representatives of commercial organizations in California should certainly not be permitted to endanger the well-being of the nation as a whole. The economic effect of removing the Japanese aliens and American born from the commerce of the western states would be as nothing to the cost of the disaster that is possible under present conditions. The cost would be measured in lives more than in dollars. Whatever is possible must not be ignored.

On January 6th, President Roosevelt said, "We must guard against complacency. We must not under-rate the enemy. He is powerful and cunning and cruel and ruthless. He will stop at nothing which gives him a chance to kill and to destroy."

If I seem to be concentrating attention on the Japanese aliens and their controlled offspring to the extent of ignoring German and Italian aliens, there are reasons. I believe that you and many other officials in Washington do not appreciate the character of the Japanese and the way in which they differ from other races. Their organization and patient preparation and obedience

to unified control could never be possible among the nationals of of any Caucasian people. ~~The Japanese are a far greater menace in our midst than any other axis patriots. They will die joyously for the honor of Japan.~~ In the United States the Military Virtue Society, permitted to operate without interference, has instilled the Code of Bushido, the virtues of the ancient Samurai, into the American born.

The danger lies almost entirely with the male Japanese. The women are not entrusted with important information or action. The women are secondary and have little place in the plans of the men, and would be most unlikely to cause any trouble if the men are interned. Yet it is obvious that with compulsory internment of the males, the women should be permitted to join them if they wish.

In this letter I have discussed at length the American born Japanese, at your request. But there is still no policy regarding all Japanese. There are 24,977 alien male Japanese in the three Pacific coast states, 20,618 in California. These are not individual enemies to be considered in the light of what each might do as an individual. They are organized in an enemy force, and unquestionably when they act it will be too late for us to punish them on the basis of evidence.

I have a letter from the Attorney General of the state of California, Mr. Earl Warren, in which he says, "I am surprised that we have not yet had a great deal of organized sabotage, but that means only one thing to me --namely, that it has been timed for some special occasion which we may expect at any time. I believe that most law enforcement officers share this opinion, but there is little that they can do about it."

Mass internment is the only obviously sound procedure. After internment every effort should be made to facilitate for those American citizens who can establish proof of their loyalty. But the burden of proof should be on them. This is war.

Internment is necessary not only for the welfare of the United States, but for the protection of the Japanese themselves. I warn you that one of these days there will be trouble in California.

All attempts to trace the reason why no broad policy of dealing

with this problem has been formulated, carry through your office. The evidence needed to prove the necessity of broad, strong action has long been in the hands of the Federal Bureau of Investigation, Naval Intelligence, and Army Intelligence. There would seem to be no cause for further delay.

Loyally,

John B. Hughes

The Honorable Francis Biddle
Attorney General of the United States
Washington, D. C.

Interview with John B. Hughes, Hollywood, California,
July 19, 1943

Mr. Hughes was the first person, as far as the record shows, to advocate complete mass evacuation, in a series of beginning broadcasts. January 5, 1942, Hughes endeavored consciously to create a strong public sentiment in favor of the evacuation.

Hughes appeared to be intelligent, forthright, and sincere person. He believes firmly that evacuation is necessary and is disposed to give himself credit for taking a large share in getting the movement under way. Nevertheless, he now thinks that he "went overboard, in the strength of some of the things he said, and he is particularly sorry for his collaboration with such people as Kilsoo K. Hahn. Despite this, however, Hughes has no apology to make. H is one of the few people to whom I have talked who advocated evacuation on the grounds of "military necessity" and who has no apparent racial prejudices. Thus, for example, H is now advocating the repeal of the Chinese exclusion act, and he has advised friends to employ Japanese, once leave clearance and approved by the FBI.

H was very cooperative and talked freely for two hours. Later, he lent me his complete file of fan letters received as a result of his Japanese broadcast. These letters will be subjected to an independent analysis. They show not only the extent of the feeling with respect to the Japanese, but also, in H's replies how extensively he was interested in "applying pressure" on the attorney general.

Hughes gave interesting data on both the local political situation and on the Federal-local controversy with respect

to evacuation; 1) On or near Januray 5, 1942, H went to see Mayor Bowron, Al Cohn, (Bowron's first assistant) and James Steadman (representatvie of the Dies Committee) to urge that they take action on the moving the Japanese from strategic areas. H says that HE FOUND ALL THESE PEOPLE COMPLETELY UN-INTERESTED IN URGING ANY DRASTIC ACTION AGAINST THE JAPANESE. This fits into the public statements of Bowron especially and forms the basis of the observation, already made with respect to the use of the Japanese question as a political hitching post.

2) On January 6, H talked to Judges O'Conner and then Harrison, both of whom agreed that something had to be done about the Japanese. On January 6, also, H wrote an extended letter to Attorney Genreal Warren urging action and W replied on January 8 expressing his agreement and asking H for suggestions. ~~St~~

3) By January 22, Bowron and Cohn had changed their mind with respect to the Japanese and B went to Washington to urge that Attorney Gen~~sal~~ Biddle do something about the Japanese. H met Cohn on January 22 and C. showed H the memorandum that the mayor had taken to Wash. with him.

4) On Jan. 26 the Mayor, back from Wash., called a meeting of all the newspaper publishers of Southern Calif., to which H was invited. At this meeting, (H reports) Boworn said that he was convinced that Biddle was going to do nothing satisfactory and "Bowron asked the publishers to stir up the public opinion of S. Calif. in favor of the evacuation of the Japanese."

xxAxBowron said that Biddle had "brushed him off." Cohn made a speech and H also talked, H saying that the facts were clear that something had to be done and it was the patriotic duty of the newspaper publishers to make these facts known and to lead public opinion in favor of a rigid program. 16 or 18 publishers were at this meeting.

5) When Tom Clark was appointed by Biddle as coordinator of the Japanese problem, Clark called H on the phone and said, "John come on over and tell me what this is all about." This may explain some of Clark's subsequent action

6) H thinks DeWitt wanted evacuation in January but didn't want to administer the evacuation himself, didn't want "to hold the hands of a lot of Jap women and children." This dates DeWitt's evacuation purpose earlier than anyone else and seems somewhat doubtful. (cf Grodzins notes ~~xxx~~interview with Bowron in L.A., Rowe in Wash.)

7) H depended heavily for his information on the Japanese on John E Anderton, Sharon Bldg., S.F., an Attorney now serving abroad in G2. H said A's secretary might be willing to give G some information. Tajiri told G in Salt Lake city that A had large agricultural interests.

8) Many people have accused H of urging evacuation for economic reasons. I find no evidence of this at all, unless the economic slant came indirectly through Anderton's interest. H's sponsors for the evacuation period were: Aspartain, Anacin, Studebaker, and Beech Nut cigarettes. H's present position in favor of release to the midwest, restoration of citizen rights after the war, etc. would discount the economic angle. Also his complete desire to cooperate in a full investigation of the evacuation.

Portion of Broadcast
"News and Views by John B. Hughes"
on 80 Stations of the
Coast to Coast Mutual Network

12:00 Noon E.S.T.

January 16, 1942

I have been very critical recently of the U S defense situation here on the West Coast--and especially of the failure of federal officials to appraise with due seriousness and concern the menace inherent in the large Japanese population, especially in California where aliens are permitted control over vital factors of the economic order, and are permitted almost complete freedom of movement, despite the evidence which proves the widespread enemy organization among these U S residents and many so-called U S citizens.

After several broadcasts that have pointed out various facts of this situation, I have naturally received a considerable reaction. However, it is a curious thing that in letters from listeners among the lay public, the citizens from California to Connecticut, the reaction has been entirely favorable, applauding and demanding that something be done to remedy the situation, to protect our own land from the dangers that threaten and that are so apparent in their possibilities.

Without one exception, the only protests, challenging these reported facts and criticizing their broadcasting, have come from official quarters.

Most public officials in the state of California seem to be completely cowed by the political pressure that is being brought to bear in behalf of the alien enemy-influenced minority, and contrary to the welfare of the nation as a whole. There are official exceptions but they seem to be afraid to come out into the open.

Two factors of California economics have been made the issue: Fishing and agriculture.

It has been stated by some financially interested persons that the fishing industry cannot survive without the Japanese. This is not true.

Japanese have always been in the minority in California commercial fishing. The alien Japanese who were on the fish boats, many of them Japanese naval men, are definitely out, but the number of American born Japanese involved in the industry shows the ridiculous nature of this economic claim.

Of less than three hundred who were assortedly examined by the navy, I understand quite unofficially that only one hundred-five passed the examination which would allow them, according to plan, to return to sea. They would have to be accompanied by probably three Americans on each boat.

This is a small factor in the fishing business, but some interests have chosen to make much of it. Some canneries have preferred to deal with Japanese fishermen for many years. One of these companies was heavily fined after pleading guilty to a federal indictment charge of covering illegal Japanese ownership of fishing boats. There is also an interesting story on the agricultural side. It has been said that the entire nation's supply of vegetables would be seriously upset if the Japanese were prohibited from growing food in California.

The truth is this: The Japanese control the vegetable industry but they do not do the work of growing these supplies.

Japanese control an approximate eighty percent of the vegetable farmland in California, according to the state department of agriculture. Japanese also control an approximate eighty percent

of the marketing of this produce. BUT--Japanese perform less than ten percent of the farm work in the field, according to the best authoritative estimates I have been able to secure on this work. It was a shock to some government employees close to the scene, but they checked and confirmed the fact. So, despite the Japanese control, more than ninety percent of the field work in California is done by Filipinos, Mexicans, Hindus and Americans. It is the Japanese control of the markets that has prevented many Americans from profitable growing for themselves. It appears that this control of markets is now vanishing, but through no action of government, or at least through no policy of government, and only perhaps through the action of some lesser officials.

The California department of Agriculture's Bureau of Market Enforcement has this week denied renewal of license to three of the largest Japanese produce distributors in Los Angeles...These are the Nagano, Imperial, and Highland commission merchants, and by noon tomorrow these three alien controlled organizations will be definitely and undoubtedly permanently out of business. Others are likely to follow.

But it is my understanding that this is not entirely state official action. Bonding companies are cancelling commitments with these companies.

The state law requires bond before license, and the Market Enforcement division is to be commended for moving swiftly in applying the law. With market control being eliminated, there is no reason why American citizens, farmers with energy and standards of living, cannot begin to move into the California agricultural picture on less than the highly industrialized basis. Since Japanese now do actually

less than ten percent of the hard work in the fields, the kind of work so many Americans are loathe to stoop for, there is surely no basis for the apologist claim that moving the Japanese would rob the state and deplete the nation of fresh vegetables.

Another fact concerns Japanese control of the land. Oriental aliens are prohibited from owning or leasing land. American born Japanese, automatically citizens, although also citizens of Japan by Japanese law, are permitted to own or lease. Many California deeds and leases are in the names of minor children. There are stories of contracts even having been made in the name of unborn offspring, expected. There is much question of the legality in all this..and it would appear that the time has passed for controversy in such matters directly and critically connected with the national defense.

Another point. It would appear that there might be a basis for challenging the privileges of U S citizenship of those so-called second generation Japanese who have never taken the available legal steps to renounce their Japanese citizenship. There can be no divided allegiance in such time as this. There is legal basis for challenging the dual citizenship.

American courts have ruled in property matters that when dual citizenship is involved the person is subject to all the disabilities of foreign citizenship. Such decisions concerning property might be applied to persons, if no other federal government policy can be formulated for dealing with the disaster threatening crisis with which we are faced.

It has been cited and attested that American born Japanese are subject in many or most cases to the orders of their alien parents

or even grandparents. It is unfortunate, but nonetheless true. This is due to the circumstances of economic domination, virtually unknown to American families---and due also to the fact that young people of Japanese origin are not accepted in the social and business life of other Americans. So the fact is there, evidenced and true, like it or not.

Yet despite this---despite the record of Pearl Harbor, the Philippines and Malaya---despite the known practices of all the axis nations, of which Japan must be acknowledged as the most patiently cunning if not the most militarily mechanized in efficiency---despite all evidence and all the known potentials, federal agencies of defense precaution are still employing persons of Japanese origin.

Strange fact is that an American born Japanese girl was recently being considered for a position as typist and file clerk in the Airplant Protection Branch of the United States army air force at a California air base. I do not know whether this girl is now employed, with full access to the Airplant Protection files at an army airforce base, but at least, since war was declared, she was being considered by army officials to the extent of writing letters to her former employers checking on her general qualifications as a typist and file clerk.

If such protection units and intelligence agencies are to place strategic information within reach of persons of a group who are known to be generally subject to the control of enemy aliens..and these aliens in turn are to be granted freedom of movement and control over certain phases of our own economic life, then there is little reason for us either to bemoan or to "remember" Pearl Harbor.

Broadcast over the Mutual Broadcasting System

Saturday, January 16, 1943, 10:00 PM, E.W.T.

....."News and Views by John B. Hughes" is heard coast to coast at ten O'clock Tuesdays, Wednesdays, Fridays, Saturdays and Sundays, originating through KHJ- Hollywood.

.....More trouble is brewing here in the United States about the internment of Japanese citizens and American citizens of Japanese ancestry who were evacuated from the West coast war zone and are being held in the Resettlement camps. Congress now is going to investigate these camps - and one of the more voluble congressional investigators, Senator Mon. C. Wallgren of the state of Washington has declared himself completely before beginning the investigation. He says the conditions of these camps are terrible, that we are pampering the Japanese and that the whole thing should be turned over to the Army to handle instead of being left in the hands of the War Relocation Authority.

You will recall that the evacuation itself, the removal of more than a hundred thousand Japanese and Japanese descendants from the Pacific Coast was carried out by the army and the Relocation Authority. As I have previously reported this was one of the most efficiently executed operations in history. Thorough cooperation between military and civilian agencies of government resulted in the completion of a very tough job with as little suffering as possible.

Now the Japanese and descendants are in the Relocation Centers and the army is merely guarding them. Perhaps there is some justification for the complaints which have been reaching Washington. But many complaints about the conditions at the centers have been

distorted. My own investigations have led me to believe that a pretty careful job of administering these camps has kept the troubles to a minimum -- has cared for the physical well-being of the persons resident there, and has succeeded in the safeguarding of our national well-being. Certainly there have been problems. There have been troubles such as might occur anywhere that 10,000 persons were confined to a small area with not enough work to occupy their hands and their minds. There have been incidents growing out of anti-American feelings by many of those interned. Such feelings, known to exist among many of the Japanese, caused the evacuation and the internment in the first place. Yet, these men, women and children of Japanese birth or racial background are not distinctly prisoners of war. Those known to be enemies of the United States have been locked in war prisoner concentration camps. The other thousands now in the care of the War Relocation Authority are persons who were evacuated from a war zone for their own protection as well as for our protection -- and just why they should be turned over to military control is not quite clear.

Senator Wallgren seems to have made up his mind about the whole situation before beginning his personal investigation on the scene. But, nevertheless, he is scheduled to come to the West and visit some of the camps to learn the true condition. It might just be recalled that Senator Wallgren also did a great deal of talking about the horrible conditions in Alaska and the Aleutian Islands before he went there to investigate what he seemed to think was a horrible military inefficiency. He changed his mind when he learned the truth. But once again, he is talking first. These camps undoubtedly could stand some changes. Some segregation would be very beneficial for the

best interests of the people involved and for the good of the future. But many of the exaggerated reports on the camps have been contrary to that "best interest", and a prejudiced approach to the problem can hardly be expected to provide the fairest consideration. And, American policy still is expected to be fair, even though it should be a ruthless sort of fairness.