

The following is a statement of the collaboration of Jacobus tenBroek, Edward N. Barnhart and Floyd Matson in producing a book on the evacuation and internment of Japanese-Americans during World War II.

This project began in 1948 and has proceeded with varying degrees of intensity to the completion of the book at the end of 1951.

The project is one phase of the University of California's comprehensive study of the Japanese-American evacuation and resettlement program. That study was organized by a multi-departmental group of faculty members in the spring of 1942 at the time the evacuation was undertaken, was supported by the University and by the Rockefeller and Columbia Foundations to the extent of roughly \$60,000, was placed under the direction of the prominent sociologist Dr. Dorothy S. Thomas, and for four or five years had a sizable staff both inside and outside the internment camps. One product of that study, dealing with life in the camps, has been a book by Thomas and Nishimoto entitled "The Spoilage", published by the University of California Press. A second product, dealing with the resettled portion of the Japanese-American population, has been a book by Thomas entitled "The Salvage" which is now about ready for publication by the University of California Press.

Before leaving the directorship of the Evacuation and Resettlement Study and the University of California in 1948, Dr. Thomas invited tenBroek to undertake a study of the causes, stages and consequences of the evacuation and internment program. TenBroek invited Barnhart to join him as a collaborator. With funds supplied by the University, tenBroek and Barnhart hired Floyd Matson as a research assistant. By the time the funds were exhausted, Matson had demonstrated his superior qualities and competence and he in turn was invited to join the collaboration.

When the project was undertaken, the expectation was that it would consist mainly of analysing and writing up data already collected by the comprehensive parent study. Almost none of the data so collected, however, proved to be relevant or reliable. The project consequently turned out to involve an extensive job of original research. That research covered: (1) The development of the attitude of the Whites towards Orientals and ~~dark-skinned~~ foreigners on the West Coast since 1850 and the creation of an anti-Oriental stereotype; (2) the activities and pronouncements

*Other non-Caucasian*

*the*  
of many groups carried on an agitation against the Oriental such as the Seamen's Union, the American Legion, the Native Sons of the Golden West, the Joint Immigration Committee; (3) the changes in the position of the Chinese and Japanese; (4) the history of legislation and administration implementing the stereotype; (5) the activities of the above and other groups after the outbreak of World War II and their role in the determination of the evacuation policy; (6) the pronouncements and activities of all levels of politicians determining the evacuation policy; (7) the stages by which the evacuation and internment were brought about and eventually terminated; (8) the role of the Court in the process and program and the effect of the episode on (a) the extent and character of the war powers of the national government, (b) the function of the courts in reviewing the determinations of the military in time of war, (c) the position of aliens under the Constitution of the United States, (d) the character of United States citizenship and rights appertaining thereto. (e) the constitutional significance of the doctrine of the equal protection of the laws.

The three collaborators planned, executed and brought the project to completion as an integrated joined enterprise. All three have contributed writing, analysis and ideas not only to the final product as a whole but to all of its major parts.

Primary responsibility for the research and writing, however, was divided into what now shows up to be three reasonably equal parts. Matson has had primary responsibility for (1) a portion of the Chinese and anti-foreign heritage, (2) the Japanese-American heritage and (3) the activation of the anti-Oriental stereotype by World War II. Barnhart has had primary responsibility for (1) a portion of the Chinese and anti-foreign heritage and some of the research on the American-Japanese heritage, (2) the history of the developments of the evacuation and internment program and (3) the pressure group and politician theories of the institution of the evacuation and internment program. TenBroek has had primary responsibility for (1) the role of the Supreme Court, (2) the introduction and (3) the conclusion.



# JOB RECORD

Floyd W. Matson  
2340-A Derby St.  
Berkeley 5

<u>Position:</u>	<u>Employer:</u>	<u>Length of Employment:</u>
PRESS ANALYST, Civil Information & Education Section, SCAP, Tokyo, Japan.	War Dept (Civilian Personnel)	March 1946-Jan 1948
PUBLIC RELATIONS NCO, U.S. Army.	Army (enlistment)	Jan 1943- March 1946
EDITOR, technical publications.	Adel Precision Prod- ucts Corp., Burbank, Calif.	April 1942-Jan 1943
NEWS EDITOR.	Lodi News-Sentinel, Lodi, California.	Dec 1941-April 1942
NEWS REPORTER.	Salinas Index-Journal, Salinas, California.	Sept 1941-Dec 1941.
NEWS REPORTER.	Honolulu Star-Bulletin, Honolulu, Hawaii.	Jan 1940-July 1941.

UNIVERSITY OF CALIFORNIA

DEPARTMENT OF SPEECH  
BERKELEY 4, CALIFORNIA

23 November, 1949

Professor Dorothy S. Thomas  
4104 Locust Street  
Philadelphia 4, Pennsylvania

Dear Dorothy:

The new committee on the Evacuation and Resettlement Study, which President Sproul appointed after the special committee had finished its work on the Grodzins' case, consists of Aikin, Chairman, Wellman, Jones, Nisbet and tenBroek. As comes to the fate of all good committees, we had a meeting the other day and attempted to survey the present state of affairs. Mostly we were concerned about the manner in which the various materials should be handled in the library.

One other question that came up, however, has to do with the present state of the agreement of the University of California Press to publish "The Salvage" and the Rockefeller funds which were allocated for that purpose. As I remembered it, those funds were by some means or other shifted over into the 1948-49 budget but were to be used, as the books stood, by June 30, 1949. Obviously, if this recollection is correct and you have not done something about getting Rockefeller to continue the allocation past June 30, 1949, then something should be done to try to save the funds.

So, the question is, is my recollection correct? And if so, have you been in touch with Rockefeller to get this matter straightened out. If the answer is yes to one and no to two, should we here now take some steps in the matter?

How is "The Salvage" coming along? Were you able to make the progress you had hoped?

Kuznets has done nothing on his monograph. He says that he expects to get a sabbatical starting the first of July and that he may be able to return to work on it then. The political aspects of evacuation have undergone a three months suspension while the political aspects of California's welfare system were being attended to. I unfortunately got myself involved as chairman of a movement to repeal a constitutional amendment which the people of California adopted a year ago raising holy hob with our welfare system. The campaign was terribly arduous, but successful. I am now returning to the evacuation and if no such other acts of God intervene, hope to make some progress.

Cordially

*Cliff*  
Jacobus tenBroek



November 30, 1949

Dear Jacobus,

Your letter of November 23 raises a question that can be answered only by referring to the Rockefeller Foundation and the University of California Press folders in the correspondence files of the Evacuation and Resettlement Study. I left all official correspondence in Berkeley, and took no copies with me.

I certainly hope your recollection of the status of the Rockefeller grant is not correct. My understanding of the matter is as follows:

The Press accepted The Salvage for publication, subject to the usual review of the manuscript by the editorial committee, on the basis of two chapters which I submitted during the late spring or early summer of 1948. The Rockefeller Foundation thereupon released the funds( which were about to lapse) to the Press. As far as I know, there was no termination date set for the use of the grant, although everyone concerned( including especially myself) expected the volume to be in press by the summer of 1949.

Unfortunately, I did not make the progress I had anticipated, particularly during the first months in Pennsylvania. As a result, much of what I had written in Berkeley got "cold", and much had to be rewritten. The new Salvage is somewhat more than half finished. I have every reason to believe that I shall proceed rapidly and efficiently with the second half, but I'm reluctant( or shall I say ashamed?) to set a specific date which I expect to meet.

Will you please have someone examine the files immediately, looking especially for correspondence in 1948 between Farquhar( of the Press) and myself, Frugé( of the Press) and myself, Evans( of the Rockefeller Foundation) and the Press, possibly the President, and myself.

If your recollection is right, and mine wrong, and the grant actually terminated on June 30, 1949, nothing can be done now to "save" it. A new application for funds will have to be submitted to the Foundation, but obviously that should not be done until we have a completed manuscript at hand. As you know, we also have a Gentlemen's Agreement



for funds to be allocated to the publication of monographs--meaning yours and Kuznets'. Again, we cannot ask that this agreement be validated until we have manuscripts ready for publication.

I have had no contact with the Press since Sam Farquhar died. Who succeeded him as Manager? Is Frugé still there?

I have also had no "official" contacts with the Rockefeller Foundation since coming east, but I have sound reasons for believing that any proposal we make them will receive prompt and sympathetic attention.

When--and I don't mean "if"--The Salvage is completed, I shall take a week or so off and fly out to California to discuss plans with the Committee.

Sincerely yours,



UNIVERSITY OF CALIFORNIA

DEPARTMENT OF SPEECH  
BERKELEY 4, CALIFORNIA

424 Wheeler Hall  
Friday afternoon

Dear Chick:

We have just returned from ten days at Lake Tahoe. Our car, a 1936 Buick, did quite well: only one blow-out and one failure of the ignition system. We had a fine time. Cold at night, warm and clear during the day, good swimming in the lake, and a very comfortable cabin.

I hope your trip is going well. I talked with Hazel and she reported your change of hotel address and that you seemed to be doing well, judging by no news to the contrary.

I have a letter from Dean Davis saying that a "slightly more detailed account of the reasons for the leave" are necessary. "It need not be more than a paragraph or so in extent. Otherwise there seems to be no question of approval."

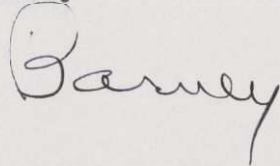
I confess that I feel a bit stumped, since there are some aspects of the project about which I do not feel too well-informed. I talked with Hazel about this asking her what the name of the committee was which collected the material but she did not know; I called Miss Thomas but she was apparently out of town so I am writing to ask you for help here.

Could you dictate for me a paragraph or so describing--as seems to me to be relevant--the name of the committee which was responsible for securing the material, and any other points which you think are relevant? I gather from our talks that we will be engaged in studying the nature of the pressures leading to the Japanese evacuation and resettlement and the public law aspects. Can this be made more specific?

I enclose a stamped and addressed envelope for your reply.

Good luck with your project.

Cordially



*Tenbroeck*

JACOBUS TENBROEK  
2652 SHASTA ROAD  
BERKELEY 8, CALIFORNIA

January 19, 1951

Professor Dorothy Swaine Thomas  
4104 Locust Street  
Philadelphia 4, Pennsylvania

Dear Dorothy:

I certainly must have been in a fog when I phoned you from New York. I knew about the Couch episode at that time - in fact had just finished discussing it with Donald Young who also had already heard about it. Shortly before I left for New York a reporter from the Chronicle called me up. He read me a clipping from the Chicago Tribune substantially identical with the one you saw in the New York Times. He wanted to know what this was all about. I spent about 20 minutes giving him a rather full background of the whole affair - emphasizing that the question so far as the University of California was concerned was 1) whether the University did not own the material which Grodzins had appropriated and 2) whether we did not have a responsibility to the Foundations which had supported the research for the quality of this scholarship. I pointed out that this was quite a different matter from any attempt on our part to secure the suppression of a book simply because it was a bad book or an impolitic book.

I then turned the reporter over to Aikin who gave him some more of the same.

*here* The reporter was satisfied that there was no story given, i.e. that there was no issue of the freedom to publish, and let the matter drop.

Meanwhile as you pointed out we are treated to the spectacle of a press director seeking to hide his personality conflicts in ~~the~~ important issue of freedom and as a by-product a ~~bad~~ book making money for an unscrupulous author. Verily, the world is full of scalywags.

The indefatigable Banney has discovered that DeWitt's files are locked up in an army depository outside ofm Washington, D.C. They amount to eight lineal feet. He is seeking permission to have a Washington friend of ours



look at them to see if they bear upon the critical issue of DeWitt's motivation and the reasons for the evacuation decision. If they do we shall of course have to see them ourselves.

I hope that we shall be able to get a look at your manuscript when it gets out here especially since I gather that some of your economic data overlaps a part of the historical material with which we have been working.

Hazel and I were certainly sorry that we did not get to see you.

Cordially,

Jacobus

JACOBUS TENBROEK  
2652 SHASTA ROAD  
BERKELEY 8, CALIFORNIA

June 26, 1952

Dr. Dorothy Thomas  
4104 Locust Avenue  
Philadelphia, Pa.

Dear Dorothy:

Chuck Aikin left for Germany ~~in~~ a couple of weeks ago. The decision was made and the plans formed in a great rush. Consequently, he was unable to answer your letter which arrived about that time and asked me to do so.

As I remember it he gave me three specific points of instruction: (1) to congratulate you upon the presidency of the American Sociological Association. Incidentally, I suppose it was my fault that he did not know that before. You had mentioned it to us in an earlier letter to Barney; (2) Will you let us know a few days in advance of shipping the study materials so that we can be sure that library space is ready to receive them. (3) re the Kikuchi diary: Chuck says there ~~is~~ no need to clear its publication with his committee but he thinks that by all means the U.C. Press should be given prior rights of publication.

Barney brought back news of you following his brief visit to Philadelphia. The microfilm materials which he secured from the Army files have not yet arrived but such notes as Barney brought back make them look reasonably important.

All three of us - Barney, Matson and I - have been working like fury on the manuscript. It is now - we believe - in much improved shape. In addition to your criticisms we had those of Chuck Aikin and Dick Nishimoto. There was a substantial amount of agreement among the critics. Accordingly, we have drastically scaled down the earlier historical portions. Barney's section on the history of the evacuation has been greatly strengthened both by rewriting some parts and by the addition of much new material which we had not hitherto ~~to~~ run across in the study files, in the WRA material, in the documents division and in additional materials which we ourselves have secured.



I have reworked the equal protection chapter in line with your suggestions and with some suggestions of Chuck and Dick. I have also strengthened - I believe - the war powers chapter by a complete rewrite on the section of detention. Dick Nishimoto on the whole had few changes to recommend in the legal and constitutional chapters, saying that he believed that they were in fine shape and among the strongest parts of the book.

On Saturday I am off to the East and Midwest for a series of speeches, and conventions. With respect to such things my judgment apparently is about as bad as yours. I wish I had sense enough to get out of them. Unhappily I wont hit Philadelphia this time.

Cordially,

Jacobus

JACOBUS TENBROEK  
2652 SHASTA ROAD  
BERKELEY 8, CALIFORNIA

May 11, 1953

Professor Dorothy S. Thomas  
4104 Locust Street  
Philadelphia 4, Pennsylvania

Dear Dorothy:

The ax has finally fallen. The Editorial Committee of the U.C. Press decided at its April meeting to reject our manuscript. Apparently this was on the strength of an adverse report by the reader to whom the manuscript was last submitted. We suspect, incidentally, that that reader was Leonard Bloom of U.C.L.A.

We have prepared a request for reconsideration doing two things: (1) stating what we believe to be the manuscript's contribution to the field (this we should certainly have done before); (2) answering the criticisms of the manuscript which Fruge finally sent us 16 days after the meeting of the Editorial Committee.

I am enclosing a copy of this request for reconsideration.

Dick Nishimoto has just written a letter to Fruge containing his estimate of the manuscript and supporting our request for reconsideration.

It is hard to tell what the chances are but certainly it is not too early for us now to begin to consider where else we might have the manuscript published. Have you got any ideas?

Cordially,

*Jacobus tenBroek*  
ED  
Jacobus tenBroek



Berkeley: Department of Speech

May 11, 1953

Mr. August Fruge, Secretary  
Editorial Committee  
University of California Press  
Berkeley 4, California

Dear Mr. Fruge:

We hereby respectfully request the Editorial Committee, at its May, 1953 meeting, to reconsider its decision to reject our manuscript, The Japanese American Evacuation: Its Origins, Stages and Constitutional Consequences.

In support of this request, we submit below our answers to the criticisms of the manuscript listed in your letter of May 4, 1953. Most of those criticisms are, we believe, either factually in error or embody an utterly untenable theory about the nature and proper content of books.

In support of our request for reconsideration and reversal, we also submit below an enumeration of the significant contributions which we believe to be made by our manuscript in the field of study. We stand ready to elaborate or substantiate any of these.

We are of course willing and anxious, in the normal course of processing for publication, to revise the manuscript to correct weaknesses shown to exist.

Our manuscript is a part of a large University of California project--The Evacuation and Resettlement Study. The University has invested in that project some \$29,000 and has solicited an additional \$70,000 from the Columbia and Rockefeller Foundations. Over the past decade and more, a number of faculty members have invested their time. The University Press has published two substantial products of that project: The Spoilage and The Salvage. The University therefore has an interest in our manuscript and its publication beyond that of its authors.

We have asked Richard Nishimoto, who has done important writing in, and is a careful student of this field, to write you about our manuscript with which he is intimately familiar. We note that Professor Thomas strongly urged you to solicit Mr. Nishimoto's opinion and that you did not do so.

We know from you, and from copies of some of the letters, that Professors Dorothy Thomas, Harold Lasswell and Charles Aikin have all written you favorable letters about our manuscript, two of them highly favorable. Evidently only negative reports were considered since you state in your letter that you will paraphrase the several reports which were on hand.



Are we to assume that the adverse reader to whom you referred the manuscript in February of this year and the adverse critics to whom you refer in your letter outbalance these favorable letters. If so, we would be interested to know by what test of authority or insight Thomas, Lasswell and Aikin are outweighed in this field.

### Contributions of the Manuscript.

#### Overall.

1. Our manuscript is the only systematic analysis and presentation of the origins, stages and constitutional consequences of the Japanese American evacuation.
2. We formulate, develop and substantiate an original theory of the factors involved in the evacuation and the character of and responsibility for the decisions taken. (See Chapter XI. Conclusions.)
3. Our study comprises the political and constitutional aspects of a larger overall and inter-disciplinary project, the sociological aspects of which are published in The Spoilage and The Salvage, and thus fulfills the original plan of the Japanese Evacuation and Resettlement Study.

#### Part I

4. Part I comprises an analysis of the historical origins of the evacuation: a systematic relation of the episode to its historical context which has not previously been attempted.
5. This is the first systematic analysis of the body of myths and attitudes surrounding the Oriental (the Oriental stereotype) which accumulated on the west coast over the past century and came to exert a critical influence upon events and decisions leading to evacuation.
6. While the Japanese in America have been extensively studied by social scientists, until our manuscript, there has existed no equivalent scholarly appraisal of the forces comprising the anti-Japanese movement.
7. Interpretations and conclusions often widely at variance with those of earlier writers have been made possible in this section by the incorporation of numerous original sources previously unknown or unused. (These include, to name a few, the newspapers, Organized Labor, the Coast Seamen's Journal, and the Pacific Rural Press; convention proceedings and reports of the American Federation of Labor, the American Legion, the California and National Farm Bureau Federation, the California and National Granges; the journals of the California legislature; and a large number of pamphlets, memoirs, novels, stories, poems, periodical literature and motionpicture reference materials.)



## Part II

8. Our manuscript is the first comprehensive and detailed history of the various Army, Department of Justice and War Relocation Authority evacuation and internment programs put into effect between 1942 and 1945 and of the litigation resulting from the evacuation.

9. Our history of the War Department, Western Defense Command, and Department of Justice policies has been based in large part on previously unavailable material secured by first-hand examination of War Department and National Archive files in Washington, D.C. and on extensive correspondence and interviews with former officials of these agencies.

10. New interpretations of War Relocation Authority policies in the relocation centers are based in part on material to be found only in the Study files, in part on War Relocation Authority memoranda, orders, etc., to be found only in the National Archives and the University of California Library, and, in small part, on publications of War Relocation Authority generally available.

11. The treatment of the Japanese Americans after the rescission of mass evacuation is described for the first time. For this section we have drawn on material only to be found in the possession of certain former officials of the Western Defense Command.

12. Our manuscript is the only systematic critical analysis of the evidence advanced to support the pressure group and politician theories of why the Army undertook the evacuation program, based in part on a large amount of original research into the activities of city, county and state governments, business, labor, fraternal and other organizations.

## Part III

13. The chapters on constitutional consequences of the evacuation present the only systematic analysis of all of the principal constitutional issues--war powers, judicial review, equal protection and United States citizenship--involved in the evacuation.

14. A war powers theory is propounded and an evaluation of the various alternative theories is made, neither of which is to be found in either Professor Rostow or Professor Fairman, the two authorities who have especially written upon this phase of the subject.

15. A systematic analysis is made of the equal protection problem in a relationship to the evacuation which is not elsewhere produced by any of the writers upon this subject.



16. An analysis of the bearing of the evacuation upon United States citizenship and of the cases dealing with this issue is presented for the first time. Moreover, these cases, not having received the publicity of Supreme Court review, are very little known.

The Answers to the Criticisms in Your Letter.

1. Criticism--" . . . the manuscript is uneven, both in content and presentation."

Answer--If this statement means that some parts are weaker than others--granted. This is true of all manuscripts and ours is no exception. If, however, this criticism is intended to indicate that there are weak spots throughout the manuscript and that these are used for grounds of rejection, then fairness to the authors and reasonable standards of workmanship by the Press would require that these be specifically identified. If and when they are, we shall do all in our power to correct them.

2. Criticism--" . . . substantial parts of the early chapters bear only a tenuous relation to the topic."

Answer--The title of the work, and therefore the topic, is Japanese American Evacuation: Its Origins, Stages and Constitutional Consequences. The early chapters comprise a study of the origins: a background analysis of especial significance in the light of our hypothesis that the "Japanese Stereotype" was a crucial factor behind decisions for evacuation. The claim would be valueless without an appraisal of the character and development of the stereotype.

3. Criticism--"A great part of the material is made up of extended quotations. . . ."

Answer--It is untrue that "a great part of the material is made up of extended quotations" available or unavailable. There are, of course, quotations. When these are employed they meet one of several requirements: a) They contain or are a basic source of material; b) they are necessary to the analysis; c) they are presented for purposes of refutation; d) they form points of departure.

4. Criticism--"A great part of the material is made up of . . . materials already available in printed or photo-offset form, such as the publication of the War Relocation Authority, the Final Report of the Western Defense Command, and the several briefs amicus curiae.

Answer--As to availability, see enumerated contributions above 7, 9, 10, 11, 12. It is likewise untrue that all or a great part of the material is "already available in print or photo offset form." See 7, 9, 10, 11, 12 above. Of the twenty-odd briefs in the various Japanese American cases, only three can be found in the University of California General Library



or Law Library. This represents something less than ready availability for the other briefs.

5. Criticism--". . . sociological aspects of the treatment are inadequate."

Answer--To the extent that sociological inadequacies were detected by Professor Dorothy S. Thomas and Richard S. Nishimoto --two outstanding authorities in this field--they have been corrected by the authors. Short of that, however, this criticism is not sufficiently particular to be either enlightening or answerable. Our study is, in any event, dominantly political and constitutional. The sociological aspects of the subject have been handled in The Spoilage and The Salvage. The evaluations of political scientists and constitutionalists such as Lasswell and Aikin should be given more weight than evaluations of sociologists.

6. Criticism--"the presentation of straight documentation is unselective."

Answer--Without exact specification, the cogency of this charge cannot be measured.

7. Criticism--"The work would not be of great value to the scholarly world."

Answer--See favorable letters of Thomas, Aikin and Lasswell, and enumeration of contributions above.

8. Criticism--"It certainly can be of little use to the popular reader, if only because of its sheer mass."

Answer--The popular reader is, of course, not the primary target of a work of this type; but "sheer mass" doesn't keep him from Toynbee or Tolstoy or *Gone with the Wind*. Proper length, in any case, is a function of the legitimate scope and breakdown of the subject. If the treatment is over-long, remedy may be readily found in collaboration of authors with editors and publishers.

9. Criticism--"Chapter V . . . seems more preoccupied with making points in a debate with Grodzins than with making the most of a body of information."

Answer--Grodzins represents the only systematic elaboration of the pressure-group theory, which is shared, however, by various other writers also mentioned. Refutation of his arguments was considered to represent a legitimate and effective arrangement of a body of information, a technique, incidentally, in frequent use by scholars. In this way we have "made the most of a body of information."



10. Criticism--"Chapter IX is very reminiscent of a brief prepared by M.E. Opler, but there is no reference to it or to him."

Answer--This is simply untrue. The brief signed by S. Kido and A. L. Wirin, but said to be prepared in part of M. E. Opler, is twice referred to in Chapter IX by its official designation as Brief of Japanese American Citizens' League as amicus curiae, in footnotes 109 and 169. Moreover it is quoted on page 49 in the text. Moreover, if by "very reminiscent" is meant that we drew upon the brief for facts, ideas and methods of treatment, then this too is simply untrue. The brief is not an analysis of the equal protection of the laws in its relationship to the evacuation. Yet this is the principal function of Chapter IX, utilizing a theory of the equal protection of the laws developed by Tussman and tenBroek in "The Equal Protection of the Laws" (1949) 37 California Law Review, page 341. If there is an apparent reminiscence, it doubtless arises from the fact that the brief and Chapter IX both analyse the same argument--the argument of General DeWitt in the Final Report, of the Supreme Court in the Hirabayashi case and of the California, Oregon and Washington Brief in that case--both deal with Japanese language schools, dual citizenship, Kibei, solidarity and the like, and both draw upon some of the same standard studies for data about the institutions and characteristics of the Japanese American. Even as to these, however, the treatment of language schools and dual citizenship is quite different, the conclusion with respect to Kibei and Japanese organizations are contradictory, and, as to solidarity, the conclusions are the same but Chapter IX uses a great deal of data not examined by the brief. Elsewhere, when we do draw upon the brief, we freely acknowledge the debt. See for example the quotation from it in the introduction.

11. Criticism--The several hundred pages on law . . . as a part of a larger manuscript, aimed at a non-law audience would serve a useful purpose."

Answer--These pages are now a part of a larger manuscript aimed, in large part, at a non-law audience and serve, we contend, a useful purpose.

12. Criticism--"Separate publication" of the portion of the book dealing with law "would direct it to a special group which is already familiar with the facts and court opinions here analyzed."

Answer--Constitutional lawyers, judges and political scientists are quite familiar with the Supreme Court opinions in the Hirabayashi and Korematsu cases. They are practically completely ignorant of the "court opinions" discussed in Chapter X on United States citizenship. One might also question how familiar they are with the facts of the Japanese American evacuation which are here thrown into relationship with the constitutional issues. But assuming that the facts and court opinions are intimately known to the groups mentioned, this is



an irrelevancy to the question of whether the manuscript should be published for them. And the statement quoted above from your letter, implies a patently false theory about books, namely, that they are only worth publishing if they contain facts and court opinions with which the prospective readers are unfamiliar. This is tantamount to saying that there is no room for books which analyze, evaluate, interpret or synthesize facts and court opinions with which the prospective reader is familiar. The books and articles produced in the last quarter century on such thoroughly familiar landmarks as Marbury v. Madison, Bonham's Case, the Magna Carta, containing no newly discovered facts, but only new theories and interpretations are recognized by constitutionalists as highly significant scholarly contributions. Indeed, probably ninety percent of all legal writing is of this analytical and interpretative character. As indicated by the enumeration of the contributions of the manuscript given above, we maintain that our work is of this character.

We feel that we have been seriously at fault in presenting our manuscript to you. Doubtless we should have separately indicated the ways in which the manuscript contributes to the field. We hope that now we have done this, the Editorial Committee will be in a position to decide upon publication.

Very truly yours,

Jacobus tenBroek

Edward N. Barnhart

Floyd Matson

cc: Professor Charles Aikin, Evacuation and Resettlement Com.  
Professor Dorothy S. Thomas, Former Director of the  
Evacuation and Resettlement Committee  
Each of the members of the Editorial Committee



June 16, 1953

Professor Jacobus tenBroek  
Department of Speech  
Campus

Professor Edward N. Barnhart  
Department of Speech  
Campus

Professor Floyd Matson  
Department of Speech  
Campus

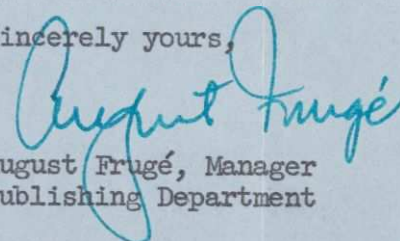
Dear Professors tenBroek, Barnhart, and Matson:

The Editorial Committee, meeting on June 13, discussed at great length and with great care your appeal for the reconsideration of your manuscript on THE JAPANESE AMERICAN EVACUATION. The Committee then passed the following motion by unanimous vote and asked me to forward it to you:

"After considering the authors' letter and additional reports on the manuscript, the Editorial Committee continues to believe that this manuscript is unsatisfactory for publication in its present form and it authorizes the appointment of a subcommittee to meet with the authors and to explain to them in greater detail the respects in which the manuscript is unsatisfactory and the directions which a revision might take."

I hope that you can meet with our subcommittee in the near future and I shall call you for an appointment as soon as I can. In the meantime the two copies of the manuscript are being held here at the Press.

Sincerely yours,



August Frugé, Manager  
Publishing Department

AF dp



September 9, 1953

Mr. August Fruge,  
Manager, Publishing Department,  
University of California Press,  
Berkeley, California.

Dear Mr. Fruge:

We are herewith returning our manuscript on the Japanese American Evacuation, the master copy and two carbons.

We have been working on it hard during the summer and have effected very substantial revisions. The overall length of the manuscript has been reduced from 1,295 to 663 pages -- or within 15 pages of 50 percent. These economies have been accomplished in part by excisions but in sizable measure also by rewriting and synthesis. The organization of the entire work has been modified. There is now a stricter adherence to the principal theme. Part and chapter connectives have been reworked; quoted material has been drastically reduced -- in the case of quotes over five lines by roughly 70 percent.

As a result of these changes, the entire manuscript has had to be retyped.

In the course of these revisions we have taken full advantage of the helpful and valuable suggestions made by the Subcommittee of the Editorial Committee in our meeting last June. We are grateful to them for these suggestions and to the Editorial Committee for its patient consideration and reconsideration.

Yours very sincerely,

Jacobus tenBroek  
Edward N. Barnhart  
Floyd W. Matson

cc: Prof. R. A. Gordon  
Prof. Michael Loeve

Prof. Edward N. Barnhart  
Mr. Floyd W. Matson

September 29, 1953

Professor Jacobus tenBroek  
Department of Speech  
Campus

Professor Edward N. Barnhart  
Department of Speech  
Campus

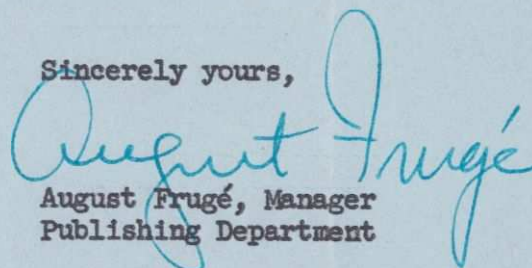
Professor Floyd Matson  
Department of Speech  
Campus

Dear Professors tenBroek, Barnhart, and Matson:

I believe that you were already informed by telephone that your manuscript was approved by the Editorial Committee on September 25. This letter is to give you formal notice of the approval.

The Committee was quite pleased with the revision and condensation of the manuscript and with the cooperative attitude that you showed in doing this work. The Committee believes that the manuscript has been greatly improved and that the points you make now come through much more clearly and effectively. Some small concern was expressed about the great number of footnotes in some chapters and about the long summaries attached to two of the chapters. It was suggested that one of our editors confer with you about these matters and also about the title, which does not seem to be entirely satisfactory. The approval was made without condition however and I believe that these small problems can be worked out easily with our editors. It occurs to me also that we should determine definitely whether or not this volume is to be the third in the series started by Dorothy Thomas and entitled "Japanese American Evacuation and Resettlement."

Sincerely yours,

  
August Frugé, Manager  
Publishing Department

AF dp

*Ans* 10/1



October 1, 1953

Mr August Fruge, Manager,  
Publishing Department,  
Office of the University Press,  
Berkeley, California.

Dear Mr. Fruge:

We are, of course, delighted with the news that the Editorial Committee has approved our manuscript and that the Press will publish it.

We will be glad to meet with your editor about the problems you raise and any other problems that may come up. We would much prefer an early date for such a meeting.

The title of the book has been a particular problem to us. We have evolved and discarded dozens of possibilities. The present one was only the least unsatisfactory. We would be pleased indeed to get a better suggestion.

It is our belief that this volume should be the third in the series started by Dorothy Thomas, although, as you can see from the preface, the research was practically all new. The work was undertaken as an integrated part of the over-all plan of the Japanese American Evacuation and Resettlement study.

If you will have your editor get in touch with us by 'phone, we can probably meet with her on a day's notice.

Yours sincerely,

Jacobus tenBroek

JtB/ech

cc: Professor Edward N. Bannhart  
Professor Floyd Matson

UNIVERSITY OF CALIFORNIA

DEPARTMENT OF SPEECH  
BERKELEY 4, CALIFORNIA

14 October 1953

Dear Dorothy:

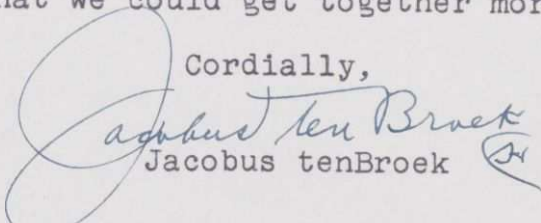
As you suspected from your talk with Frugé, there was this time no difficulty in the approval of our Japanese manuscript. It has been definitely approved by the Editorial Committee and the staff of the Press is about to begin its routine of functions. We hear from the grapevine that the approval of the Editorial Committee was very warm and that some of the members who had heretofore been doubtful had become converts. At any rate, that phase is now passed and we can get on to other things.

In the June issue of the California Law Review, I brought out one of the Constitutional chapters from the Japanese manuscript. I thought you might like to have a reprint of the article and am herewith enclosing it.

Dick Nishimoto's troubles never come to an end: He applied for citizenship under the McCarran Act. I agreed to be one of the witnesses. In the course of the hearing it developed that for one year out of the last five, Nishimoto had no witnesses able to testify that he had been in the United States. During that year -- about 1949 -- he was working and living with Japanese aliens and Mexican nationals. He saw almost nobody but these people; consequently it proved impossible for him to fill up this gap by the testimony of a citizen. The net result has been that he has withdrawn his application for citizenship -- hoping to do so without prejudice -- with the expectation of renewing it in two years when the unverified period will be outside the 5-year range. He was, of course, bitterly disappointed.

We all, of course, were very happy to see you out here this summer and only wish that we could get together more often.

Cordially,

  
Jacobus tenBroek

JtB/ech

Professor Dorothy-S. Thomas,  
Whorton School of Commerce & Finance,  
University of Pennsylvania,  
Philadelphia, Pennsylvania.



BERKELEY: OFFICE OF THE UNIVERSITY PRESS

October 20, 1953

Professor Jacobus ten Broek  
3118 Dwinelle Hall  
Campus

Dear Professor ten Broek:

Enclosed is our author's publicity blank. Will you please fill it out and return it to us as soon as possible. This information is needed in order to do the best possible job of promotion on your book.

If you would like to drop in and see me at your leisure I would be happy to discuss our forthcoming promotion plans with you.

Sincerely,

*Albert J. Biggins*

Albert J. Biggins  
Sales and Promotion Manager

AJB:my

*answered  
11/5/53*

tenBroek

October 20, 1953

Dr. Jacobus tenBroek  
Department of Speech  
University of California  
Berkeley 4, California

Dear Jacobus:

Thank you for your letter of October 14. I am delighted to hear that your manuscript has finally been approved for publication. I was greatly interested in your chapter which you published in the California Law Review.

I am sorry to hear about Dick Nishimoto's troubles. I cannot understand that lapse of a year without contact, but he has certainly had a rough time. Please give him my regards and sympathy.

It was such a pleasure to spend an evening with you and Hazel and the children.

With cordial regards to all of you,

Sincerely yours,

Dorothy S. Thomas

DST/hz



10 December 1953

Campus Textbook Exchange  
Berkeley, 4, California  
2470 Bancroft Way,

Gentlemen:

In reply to your recent inquiry, may I say that the book on the Japanese American Evacuation to which you refer is to be published in 1954 by the University of California Press. Its title will be "Prejudice, War and the Constitution," and its authors are tenBroek, Barnhart and Matson.

Yours truly,

Jacobus tenBroek

Gentlemen:

November 6, 1953

Can you tell us if Mr. Barnhart or Mr. Ten Broek is planning a book on the Japanese evacuation. If so, who will publish it?

Yours truly,

CAMPUS TEXTBOOK EXCHANGE  
2470 Bancroft Way  
Berkeley 4, California

tenBroek

December 22, 1954

Professor Jacobus tenBroek  
2652 Shasta Road  
Berkeley 8, California

Dear Jacobus:

I have certainly been negligent about acknowledging your fine book on Prejudice, War and the Constitution. I am particularly impressed by Part III which, I think, will prove a magnificent contribution. The book arrived just when I was leaving for a conference in Chicago and while I was there I heard a great many comments about the publicity it was receiving on the radio. I hope it will have a very great success.

I wonder if you could get me three copies with the 40 percent discount that the Press gives to authors. I do not like to ask them for it directly, but if you would send me the three copies along with the bill, I will send you a check immediately. The Press is so penurious that I wonder whether they have had the good grace to send at least one and preferably two copies to the Rockefeller Foundation, 49 West 49th Street, New York City (attention Mr. Roger Evans) and two copies to the Columbia Foundation in San Francisco. These should be accompanied by a covering letter indicating appreciation for the financing which made the collection of some of the data possible.

Please give my cordial regards to Barney and to Hazel and let me know how things are going.

With best wishes for the New Year,  
Sincerely yours,

Dorothy S. Thomas

DST/hz



JACOBUS TENBROEK  
2652 SHASTA ROAD  
BERKELEY 8, CALIFORNIA

February 1, 1955

Professor Dorothy S. Thomas  
University of Pennsylvania  
Philadelphia 4, Pennsylvania

Dear Dorothy:

I have been a long time getting around answering your letter of December 22. Immediately upon receiving it, however, I asked the press to send you the requested copies of Prejudice, War and the Constitution, and to send the bill to me. They have since sent me the bill, so I assume that you got the copies all right. The bill is herewith enclosed.

The reviews of the book have been mightly slow appearing. The California Law Review boys tell me that they have received a review from Konvitz and that it is a good one. I have also heard indirectly that John Roche who is doing the review for Cornell has expressed himself as impressed with the work.

The authors sent one copy to Rockefeller Foundation but have done nothing about Columbia. Columbia, as you may remember, has gone out of existence as a separate entity but I think still exists as a part of the San Francisco Foundation, to which its remaining funds were turned over.

Barney has been hard at work sorting, cataloging and describing the Japanese American materials and has now about finished that job. During the spring we hope to prepare a statement on the residue for the consideration of the Japanese American Evacuation and Resettlement Committee with an eye to raising money for additional research.

Cordially,

*Jacobus*  
Jacobus tenBroek

*tenBroek*

February 4, 1955

Dr. Jacobus tenBroek  
2652 Shasta Road  
Berkeley 8, California

Dear Jacobus,

Thanks for sending me the three copies of your book with author's discount. I am enclosing a check. I look forward very much to seeing the reviews when they appear.

Don't worry about the Columbia Foundation inasmuch as its successor probably will not even remember that we obtained support from them. I have given one of my copies to Dr. Willits, who sponsored our work at the Rockefeller Foundation, so that the additional copy that you sent should fill the bill there.

With cordial regards,  
Sincerely yours,

Dorothy S. Thomas

DST/hz  
Enclosure



Jay

Ten Broek

September 16, 1955

Dr. Jacobus tenBroek  
2652 Shasta Road  
Berkeley 8, California

Dear Jacobus,

It must certainly have been gratifying to you and Barney and Mr. Matson to know that your work has received recognition through the Woodrow Wilson award. Needless to say, I am delighted and I send all of you my congratulations.

With regards also to Hazel,

Cordially yours,

Dorothy S. Thomas

DST/hz

APPLICATION FOR SABBATICAL OR SEMI-SABBATICAL LEAVE

2764

**INSTRUCTIONS:** Prepare in octuplicate and send first seven copies to the Accounting Office. For conditions pertaining to the granting of Sabbatical Leaves, see reverse of eighth copy. Even though the interval since the last leave is sufficient to justify the present request, it should by no means be assumed that the leave has been granted until notification of President's approval is received.

The sixth and seventh copies of this form will be returned to the department and the applicant, respectively, with indication of the President's action. The eighth copy is to be retained by the department.

Name: **Jacobus tenBroek**

Title: **Associate Professor**

Department: **Speech**

Campus: **Berkeley**

Present Address: **2552 Shasta Road - Berkeley**

Address while on leave: **Same**

FOR USE BY OFFICE OF CHIEF ACCOUNTING OFFICER

S. T. C. I.		ACCOUNT		L.	S.	FUND		OBJECT CODE	
EMPLOYEE NO.		TAX C.		C.	RET. AMT.	SAL. GR.		TIME	

Period for which leave is requested (check one)

☐ July 1, 19..... to June 30, 19.....

☐ First Semester, Academic Year 19..... to 19.....

☒ Second Semester, Academic Year 19<sup>48</sup> to 19<sup>49</sup>

Type of Sabbatical leave requested (check one)

☒ Regular Sabbatical leave on full salary

☐ Regular Sabbatical leave on two-thirds salary

☐ Sabbatical leave in residence

Present Salary Rate:

Annual \$**5100**

Monthly \$

Other \$

Specific purpose of proposed leave (If necessary attach separate letter of explanation)

(See attached letter)

If applicant is to receive a fellowship or a grant-in-aid during the period of his leave, please indicate the nature and amount of such fellowship or grant. (Teaching in summer session is permissible and need not be mentioned here.)

Signature of applicant.....

*Jacobus ten Broek*

To be answered by the Chairman of the applicant's Department

In the event the leave is granted, what distribution is to be made of the applicant's classes?

**Classes will be distributed among the present Speech Faculty.**

If Sabbatical leave in residence is requested, what course is to be taught by applicant during the period of his leave?

If it is necessary to employ a substitute, what addition to the budget of the department would be required?

Approved.....

*H. Marshall*

**No substitute needed.**

Chairman of the Department

Date **8-5-48**

APPROVAL FOR THE ADMINISTRATION

*W. D. ...*

Certification as to eligibility

Provost or Dean

President

AUG 23 1948



# APPLICATION FOR SABBATICAL OR SEMI-SABBATICAL LEAVE

**INSTRUCTIONS:** Prepare in octuplicate and send first seven copies to the Accounting Office. For conditions pertaining to the granting of Sabbatical Leaves, see reverse of eighth copy. Even though the interval since the last leave is sufficient to justify the present request, it should be assumed that the leave has been granted until notification of President's approval is received. The sixth and seventh copies of this form will be returned to the department and the applicant, respectively, with indication of the President's action. The eighth copy is to be retained by the department.

For Use by Office of Chief Accounting Officer									
B.T.C.I.		ACCOUNT		L. S.		FUND		OBJECT CODE	
EMPLOYEE NO.		TAX C.		C.		RET. AMT.		BAL. GR.	
TIME									

Name: James L. ...

Title: Associate Professor

Department: Speech

Campus: Berkeley

Present Address: 1525 Shattuck Road - Berkeley

Address while on leave: Same

Period for which leave is requested (check one)	Type of Sabbatical leave requested (check one)	Present Salary Rate:
<input type="checkbox"/> July 1, 19... to June 30, 19...	<input checked="" type="checkbox"/> Regular Sabbatical leave on full salary	Annual \$1000
<input type="checkbox"/> First Semester, Academic Year 19... to 19...	<input type="checkbox"/> Regular Sabbatical leave on two-thirds salary	Monthly \$
<input checked="" type="checkbox"/> Second Semester, Academic Year 19... to 19...	<input type="checkbox"/> Sabbatical leave in residence	Other \$

Specific purpose of proposed leave (If necessary attach separate letter of explanation)

(See attached letter)

If applicant is to receive a fellowship or a grant-in-aid during the period of his leave, please indicate the nature and amount of such fellowship or grant. (Teaching in summer session is permissible and need not be mentioned here.)

Research for book

Signature of applicant

To be answered by the Chairman of the applicant's Department

In the event the leave is granted, what distribution is to be made of the applicant's classes?

If Sabbatical leave in residence is requested, what course is to be taught by applicant during the period of his leave?

If it is necessary to employ a substitute, what addition to the budget of the department would be required?

Date: 8-2-48

Chairman of the Department

APPROVAL FOR THE ADMINISTRATION

President

Provost or Dean

Certification as to eligibility

Copy to be returned to applicant

Im-3, 48 (A83882) 808