California Joint Immigration Committee

85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

March 3, 1934.

Mr. Samuel Hume mailed to each member of the Immigration Section of the Commonwealth Club copy of letter from B. H. Kizer, Chairman of the Washington Council on Oriental Relations to the California Joint Immigration Committee, dated February 6th.

The answer thereto of February 10th, of which Mr. Hume did not advise you is as per copy enclosed. It has not been given distribution by us, and this is one of six copies sent to individuals who it was thought would be interested.

An inspection of this letter, or of its predecessor of February 1st, to which Mr. Hume takes exception, will show that neither contains anything but an impersonal statement of facts with reference to the necessary proofs.

V. S. McClatchy, Exec. Secy.
California Joint Immigration Committee

California Joint Immigration Committee

85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

Rt'd Please note

May 4, 1936.

Mr. Sam H. Cohn,
Deputy Supt. of Public Instruction,
Sacramento, California.

Dear Mr. Cohn:

Pursuant to promise there goes herewith carbon copy of certain extracts from "The Governance of Hawaii", by Robert M. C. Littler, referred to in correspondence and conversations between us, in which he offers the suggestion that the Hawaiian case in which the U. S. Supreme Court declared unconstitutional the territorial law for control of the Japanese language schools need not finally dispose of the attempt to control such schools. Mr. R. H. Fouke, a competent attorney, associated with our committee, tells me he believes Littler's point well taken. I am witing for detailed statement from him and also from Attorney General Webb.

There has been some correspondence between this office and J. W. Studebaker, Commissioner of the Office of Education, under the Department of the Interior, concerning objectionable propaganda in public schools and in language schools. In his lat letter, April 20th, he says:

> "I am not advised of any authority on the part of the federal government to exclude certain teaching, culture, or propaganda from the public schools of the States or of the Territory of Hawaii. It is presumed that the prerogative of the Legislature of Hawaii is similar to that of the Legislature of one of the States of the Union with respect to subject matter taught in the public schools, and apparently it is within the prerogative of the State or Territorial legislature to prevent the teaching of partisan matter in public schools or the teaching of doctrines which are subversive to the principles of their respective forms of government."

You will be interested in his assumption that the state has certain rights in regard to excluding propaganda from the public schools and that in his opinion the territory has a similar right. At the same time he evidently doubts that the federal government has any right to intervene in the matter provided the state or territory failed in its manifest duty. The Commissioner will undoubtedly be interested in the point of view suggested by Littler in regard to the Japanese language schools, and I will acquaint him with it as soon as soon as I have obtained the necessary information from the Attorney General and Mr. Fouke.

Sincerely yours,

V. S. McClatchy

VSM.DK

Memorandum Regarding Japanese Language Schools.

On February 21, 1927, the Supreme Court of the United States, in the case of Farrington, Governor, etal, vs. T. Tokushigi, etal (47 Supreme Court Reporter 406, 273 U.S. 284) affirmed the decision of the United States District Court of Appeals, upholding the action of the trial court in enjoining the enforcement of the Hawaii statute relating to the regulation of Japanese language schools. The case was presented to the court for decision on certiorari and the bill and affidavits ~~presented to the court~~ before the answer had been filed in the case. The question was whether the trial court had properly exercised its discretion in granting a temporary injunction restraining territorial officers from enforcing the statute pending the trial of the case.

The respondents (representing language schools) contended "that the enforcement of the act would deprieve them of their liberty and property without due process of law, contrary to the fifth amendment to the United States constitution." The territory officials or petitioners insisted "that the entire act and the regulations adopted thereunder are valid.

The Supreme Court held, with Justice McReynolds delivering the opinion, "that the trial court had not abused its discretion in granting a temporary injunction restraining the enforcement of the Hawaii statute."

The decision refers to the fact that the respondents are members of numerous associations conducting language schools in Hawaii. These schools are operated, maintained and conducted by some 5,000 persons. These 163 foreign language schools, of which 9 taught Korean, 7 Chinese, and the remainder Japanese, were valued at approximately $250,000, enrolling some 20,000 pupils and employing some 300 teachers. The number of pupils increased from 1320 in 1900 to 19, 354 in 1920. Out of 65,369 pupils of all races on December 31, 1924, 30,467 were Japanese.

The Hawaii statute, among other things, provided for the payment of an annual fee of $1.00 for each pupil enrolled in these language schools. A permit was required for both teachers and operators in conducting or teaching in these schools. A sworn list of pupils in attendance, as well as a patriotic pledge were also included in this statue. In addition the department of education was given the authority to set up new regulations from time to time. Until new regulations were set up, provision was made that until September 1, 1923, every pupil seeking to enroll in the language schools must have first satisfactorily completed the first grade in the American public schools or a course equivalent thereto. After September 1, 1923, first and second grades, or courses equivalent thereto were prerequisites for the attendance at any language school. Text books used in connection with the education of stud-

ents between the 3rd and 4th school year, were required to contain certain patriotic material.

Under this statute, the Department of Education was given the right to prescribe, by regulations, subjects and courses of study, entrance and attendance prerequisites or qualifications of education, age, school attainment, demonstrated mental capacity, health or otherwise, as well as the text books used in any of these foreign language schools. Likewise, the operators of these schools were prohibited from conducting the same before the school session hours of public schools, or requiring attendance thereat for more than one hour each day, nor exceeding six hours in one week, thirty-eight weeks in a school year. The teaching of any subjects or courses not prescribed or permitted by the Department of Education was prohibited. Further, provision was made for the appointment of inspectors to see that the provisions of the law were being complied with. Appropriate penalties were provided for violation of the statute.

Pursuant to this statute, the Department of Education on June 5, 1925, adopted regulations that limited pupils in these schools to those who regularly attended some other private or public school or were over 14 years of age; also to designate the text books which foreign language schools should use for the primary grades.

These provisions of the statute are set forth in the decision of the Supreme Court.

In the light of the provisions of this statute and the statements contained in the affidavit submitted and the bill upon which the injunction proceedings are based, the court says that the "statement shows that the school act goes far beyond mere regulation of privately supported schools* * * *" Further, the court states that if the act is enforced, the parents and pupils will be deprieved of their rights and these rights would be destroyed.

Continuing, the court states further that the parent has the right to direct the education of his child without unreasonable restrictions. However, the Court states further that it "cannot undertake to consider the validity of each separate provision of the act and decide whether, disassociated from the others, its enforcement would violate respondent's constitutional rights****"

"Here enactment has been defended as a whole. No effort has been made to discuss the validity of the separate provisions. In the trial court the cause proceeded on the theory that petitioners intended to enforce them all". In support of the decision, cases are cited, upholding the 14th amendment, guaranteeing rights to owners parents and children in respect of attendance upon schools. Cases are cited involving the fifth amendment, relating to the deprivation of life, liberty and property without due process of law.

Justice McReynolds stated in conclusion, that "we appreciate the grave problem incident to the large alien population of the Hawaiin Islands.

"These should be given due consideration whenever the validity of any governmental regulations of private schools is under consideration; but the limitations of the constitution must not be transcended.

"It seems proper to add that when petitioners present their answer, the issue may become more specific and permit the case to be dealt with in greater detail. We find no abuse of discretion lodged in the trial court."

Discussion: The above case cannot be considered as an authority for the position that the state or territory is without right to exercise any control over language schools. In fact, the court implied recognizes the right of the state or territory to provide for the regulation of the schools in question or privately supported schools by the statement that the statute under consideration that the "parent has the right to direct the education of the child without unreasonable restriction."

Actually, all the court has done in this case is to uphold the decision of the trial court, regognizing that within the statute itself is contained one or more provisions believed to be unconstitutional. Which of these provisions the court had in mind are not stated.

It is evident that the court felt that some of these regulations were desirable and constitutional in view of the fact that reference is made to the "grave problem incident incident to the large alien population of the Hawaiin Islands". Further, "that these problems "should be given due consideration whenever the validity of any governmental regulations for private schools is under consideration *****". This conclusion is amply supported by the dictum of the court contained in the statement "it seems proper to add that when petitioners present their answer the issues may become more specific and permit the case to be dealt with in greater detail."

It is important to ascertain what disposition has been made of this case and its present status in order to answer the question whether the modified decision could be obtained in this particular case and would "prevent the teaching by text books or oral instruction of principles antagonistic to the interests of this government." In all probability no further steps were taken in this case following the above decision, and by operation of law the time within which to reopen the case has long since passed.

Accordingly, in order to present this matter to the Supreme Court for consideration, it would be necessary to present a new test case presenting similar points If the Department of Education of Hawaii could be induced to attempt to enforce this statute the opportunity would be afforded to again present this matter to the court for final decision, at which time each of the issues involved could be specified and a decision obtained thereon.

In the opinion of the writer the Hawaiian statute did contain certain unconstitutional provisions. The reason for the blanket temporary injunction enjoining the enforcement of any part of the act pending the trial of the matter, was because in the trial court, petitioners assumed the position that the entire act was valid and that it would be enforced in its entirety.

Had the issue been specifically stated, it is likely that the trial court would have enjoined the enforcement of only a few provisions of the statute.

A state or territory has the right to prescribe and enforce reasonable educational qualifications and regulations to be complied with on the same basis by either a public or private schools. However, such right does not extend to the singling out of one type of schools and the imposition of regulations upon that school of a class and kind not imposed on the remaining groups of public or private schools.

In the instant case, the provisions against the language schools conducting school before the school session hours of the public school and the limitations on the amount of time during which instruction could be furnished in the language school each day or by the week or school age, is in my opinion unwarranted and does violate the provisions of the United States Constitution.

Instead of singling out the language schools and laying down prerequisites for that particluar class of school, it would have been proper to provide for certain subjects i.e. the Japanese language should not be taught to any persons under a certain age or until they had taken certain other courses of study. This provision would apply to all schools.

Under the circumstances of the case under consideration, it is apparent that the singling out of the language schools and the imposition of qualifications more onerous than those imposed on other schools without a proper foundation e.g. as in the case of medical or law schools, certainly does constitute a violation of the 5th and 14th amendments to the United States constitution in my opinion.

In conclusion, it is the writers opinion that the statute could be drafted capable of accomplishing the desired results that would not violate any constitutional provisions if drafted along the lines indicated, assuming that in character the act was one of regulation rather than discrimination.

California Joint Immigration Committee
85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

June 30, 1936

Ediphoned at Lake Tahoe, June 24
Transcribed at San Francisco, June 30

Mr. R. H. Fouke
Russ Bldg.
San Francisco, Calif.

Dear Mr. Fouke:

Please note carefully the enclosures herewith in the matter of a drive inaugurated by California Japanese to secure removal of the bars against Asiatic immigration and naturalization. Outside of the letter to the Japanese American News published by it June 14th, no general publicity has been given to the subject, with the certainty that Congress, with full knowledge of the facts will not consent to abandonment of the established national policy.

I hope the Committee will have opportunity to discuss this situation carefully, and agree on a plan of action if the California Japanese, citizen and alien, continue to organize for repeal of the law or modification which will lead to naturalization.

Sincerely,

V. S. McClatchy

V. S. McClatchy, Exec. Secy.

VSM.M
3 Encs. #451
#453
Letter to Japanese American News

California Joint Immigration Committee
85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

CALIFORNIA JAPANESE URGE DROPPING OF RACIAL BARS

A number of articles have appeared recently in the Japanese vernacular press of California, urging adoption by Congress of various amendments to the present laws so as to make Japanese eligible for immigratiom and naturalization. In instances these articles were written by Nisei (Japanese who claim American citizenship by birth) and by members of the Japanese American Citizens League, which was organized as indicated b its by-laws, for the purpose of fitting its members for faithful performance of their duties as American citizens.

Among the specific measures thus urged by California Japanese are the following (a) naturalization for alien Japanese now residing here (b) entrance as immigrants for relatives of Japanese residing here, whether alien or Nisei (c) entrance of alien Japanese women for wives of resident Japanese (d) repeal of the state alien land laws (e) repeal of the 1924 exclusion measure and grant of immigration quota to Japan (f) such change in our naturalization law as will remove all disabilities from the colored races of Asia and automatically put in operation the measures above suggested.

The line of argument offered in support of the elaborate program outlined is in effect as follows: since the Japanese war veterans have been granted naturalization, that privilege should not be withheld from other Japanese who have lived here many years and would make equally good citizens; if such resident Japanese are granted citizenship they should not be refused the privilege of bringing over their alien relatives from Jpan to share their good fortune, and a similar privilege should certainly be granted to the Nisei now enjoying American citizenship; and as the adoption of these two plans will in effect nullify the objectionable features of the act of 1924 and of the century and a half old naturalization law, these measures may as well be repealed now and save time and trouble.

Interesting facts in connection with the subject are presented in a statement of the California Joint Immigration Committee (Doc. #451) explaining the practical effect of the present system of dual citizenship in Hawaii and in California, (in Hawaii two-thirds of the American-born Japanese still retain their Japanese citizenship, with the obligations thereof); and in a letter of the Joint Committee to the Japanese American News of San Francisco, June 12, 1936, answering a defense of such dual citizenship.

#453
6-25-36

ANTI-JAPANESE PARADES HELD BY ARIZONANS

Farmers in Three Cities Demand Immediate Eviction of Nipponese From Salt River Valley

PHOENIX (Ariz.), Aug. 27.—(US)—Hundreds of American farmers demonstrated in three cities this evening against the asserted influx of Japanese agriculturists into the Salt River Valley.

Banners in the parades demanded the immediate eviction of the Japanese from their newly-acquired farms and denounced Americans who lease lands to Orientals. Other placards and banners demanded an investigation by the State Bar of "attorneys who conspired to defeat an American principle."

SITUATION TENSE.

Although the demonstrations were orderly, the situation became more tense as indications increased that the public gradually is becoming aroused and siding with the white farmers.

CARRIERS HIRED.

The Japanese themselves are not marketing their crops, but are hiring commercial carriers to bring their produce to market and retaining Americans as their sales agents.

A. R. Webster, a wholesaler leasing land to M. Rahmatulla, a Hindu, and the latter were bound over to the Superior Court late today in Justice Court. They are charged with conspiracy to defeat the Anti-Alien Land Act, a felony.

ER LAMB
Out of Way

S. F. Examiner
March 9, 1935

WELCH SLATES FILIPINOS AID

WASHINGTON, March 7.—(AP)—Representative Welch (R.), California, said today he and Senator Johnson would press for action this session on their bills to provide repatriation at Federal expense of unemployed Filipinos desiring to return to the islands.

The bill would provide transportation aboard army or navy transports or private ships, if transports were not available, from any point in the United States to Manila.

D. W. MacCormack, Commissioner of Immigration, submitted to Welch the following estimate of Filipino population in the United States:

Filipinos residing in the United States, 65,000; residing in California, 32,000.

Estimates of Filipinos wanting to return to the islands, 20,000; from California, 15,000.

Confidential
to Members

California Joint Immigration Committee
85 Second St
San Francisco, California.

March 15, 1937

Members of the C.J.I.C. are asked to give immediate and careful consideration to the matter of H. J. Resolution 101, passed by the House March 2nd under favorable recommendation by the House Committee on Immigration, Report No. 215. It offers American citizenship to an individual ~~HINDU~~ Hindu, "notwithstanding the racial limitations contained within Sec. 2169 of the Revised Statutes U.S.". The reason offered is in effect identical with that offered before the Senate Immigration Committee in December, 1926, for confirmation of the American citizenship of some 50 high class Hindus, notwithstanding the provisions of the United States Statutes and the court decree in the case. The Senate Committee unanimously refused to grant this special privilege after presentation of the facts by the C.J.I.C. and a statement in confirmation thereof by the Senate Committee Chairman, ~~HIRAM~~ Hiram Johnson. Note statement of the facts in the enclosures, letter to Secretary of the A. F. of L., March 13th, and a memorandum, "Objections to H.J. Res. 101".

Our first knowledge of the matter was in the shape of a note and copy of the Resolution received on March 13th from the Secretary of the American Coalition at Washington. Your Secretary wrote at once air mail letters to Senators Johnson and McAdoo, to Congressmen Lea and Welch and to Congressman Kramer, member of the House Immigration Committee, to Secretary Morrison of the A. F. of L., and to Paul Scharrenberg suggesting, if my impression of the grafity of the situation was confirmed on inquiry, an effort be made to stop approval in the Senate.

It is suggested that a formal statement be sent in the name of our committee to the Senate Immigration Committee by air mail, calling attention to the danger of establishing such a precedent in view of the continued demand by Japan and her American friends for similar special exception to the existing law.

If members of the committee approve of that suggestion and will so indicate by immediate telephone message the Secretary will prepare and send immediately such a letter in the name of the Committee.

V. S. McClatchy, Exec. Secy.

OBJECTIONS TO H.J. Res. #101.

In further explanation of the question raised by the California Joint Immigration Committee as to the advisability of passing H.R.J. 101, conferring upon Dr. M. Kellogg Mokerjee the right to naturalization "notwithstanding the racial limitations contained within Sec. 2169 of the Revised Statutes U.S.", attention is called to the following paragraph offered in the favorable report, No. 215, of the House Immigration Committee, as one of the reasons why such resolutions should be passed.

"The resolution does not amend or change any permanent statute for uniform application to all aliens, but simply, in effect, waives the racial limitations of the basic uniform naturalization law for the benefit of an outstanding native of India who has demonstrated that, except for these limitations, he has the ability and personality to render him of some value as a citizen."

That is in effect the plea which was urged in 1926 before the Senate Committee on Immigration for permitting 50 prominent Hindus to retain citizenship which had been illegally conferred upon them. The Senate Committee was unanimous in deciding that such privilege should not be conferred upon one or many individuals, for the reason stated. The last paragraph of the report 215, citing various groups which have been granted exception to the law, does not offer justification for the grant to this individual or to many under similar conditions of the privilege, in the opinion of the California Joint Immigration Committee.

#483

California Joint Immigration Committee

85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

March 13, 1937

COPY

Mr. Frank Morrison, Secy.,
American Federation of Labor,
Washington, D. C.

Dear Mr. Morrison:

Your attention is directed to H.J. Res. 101 to permit Dr. M. Kellogg Mokerjee to become a citizen of the United States, regardless of racial limitations imposed by the United States statutes, which resolution was passed by the House March 2nd under favorable report No. 215 February 10th of the House Immigration Committee.

The precedent which will be established by the conferring of such special privilege in violation of existing law is certain to be used in the interest of others similarly ineligible, and to induce demand for similar concessions to Japan.

Please read carefully the proceedings before the Senate Immigration Committee, December 15, 1926, on S.J.R. 128, "Providing for the Ratification and Confirmation of the Naturalization of Certain Persons of the Hindu Race". Note that by such resolution attempt was made to secure reversal of the existing law in favor of particular individuals. It was proposed in that resolution to confirm some 50 or more high caste and deserving Hindus in the retention of citizenship improperly conferred upon them. The Senate Committee, notwithstanding the position and character of the applicants and the favorable recommendation given by high authorities, was compelled to refuse approval of the measure on a showing of the facts, because of the certainty it would serve as precedent and open the doors to other demands of similar character.

Read at pages 43 to 47 of the hearing the statement of facts presented by the California Joint Immigration Committee in support of its protest against the contemplated action, and note that the American Federation of Labor, thru its representative, Mr. Edgar Wallace, formally endorsed that protest. The same arguments apply, it would seem to our committee, against the endorsement by Congress of H.J.R. 101.

A copy of this letter goes to the Hon. Hiram W. Johnson of the Senate, who was in 1926 the Chairman of the Senate Immigration Committee which took the action above referred to. A copy goes also to Hon. Clarence F. Lea, Dean of the California House Delegation.

Sincerely yours,

V. S. McClatchy, Exec. Secy.,
California Joint Immigration Committee

VSM.DK

California Joint Immigration Committee
65 Second St
San Francisco, California

Confidential to Members

July 12, 1939

PROGRESS REPORT

NATIONALITY LAW

Word has been received at this office that the "Nationality Law of 1939" (Dickstein's bill) will not be given consideration at this session of Congress. This information comes from Congressman Richard J. Welch.

This committee's letter to members of the California Congressional Delegation regarding a measure to prevent dual citizenship in this new nationality law has met with considerable favorable response. Rep. Jerry Voorhis (San Dimas) writes: "As a matter of fact, I feel that really this problem is broader than just the Japanese question and includes also citizens of some European nations which insist that the nationals living in America really owe allegiance to their own country." Congressman Harry L. Englebright writes: "I am in full accord with your views in this matter and you may rest assured of my best efforts to have the same complied with." Congressman Albert Carter (Oakland) says: "I am always suspicious of anything that Dickstein introduces in th way of a naturalization bill; there is usually a catch in it somewhere. I appreciate your analysis of HR. 6127 and desire to assure you that this matter will have my attention." Other Congressman answered in routine fashion, and Congressman Franck Havenner (San Francisco) advises that he has turned the data over to the Chairman of the House Immigration Committee (Dickstein).

DUAL CITIZENSHIP

Another step forward in the committee's campaign against dual citizenship of American born Japanese has been taken. The Japanese New World Sun in its issue of July 4th, prints an article by Kiyo Tego Tamaka of the Japanese Daily News of Los Angeles, accusing this committee of exaggeration in the statement that 60% of California's American born Japanese have dual citizenship. A letter was sent to the New World Sun (copy enclosed) pointing out that this information comes from its own article of May 30th! The letter also points out an error made by the paper when it stated that the Japanese Government still claims as its nationals all children born of Japanese parents anywhere in the world.

The New World Sun mentions, but does not print, this letter in its issue of July 10th, but does print part of the committee's release #627 (enclosed). (Clipping also enclosed)

The significant feature of this article in the New World Sun is the small insert, "How to Expatriate". It is doubted that the matter is quite so simple as is indicated therein, since it is believed the expatriation application must be filled out in the Japanese language (which few American born Japanese can do). However, the campaign of this committee is getting results. However, when it is considered that only 46 Nisei, out of an estimated 22,000 29,400 who have dual citizenship, have expatriated, it will be realized that there is no great enthusiasm for expatriation.

AMERICAN SCHOOL TEACHERS

Mention has been made previously of the trips American and Canadian school teachers are making to Japan at invitation of the Japanese government (thru a tourist agency). One hundred of these teachers, divided into 12 parties, will visit Japan this summer, and one may only guess how they will be flattered and petted so they will well inculcate a favorable impression of things Japanese into their pupils.

On June 23rd/25th of these teachers left San Francisco on the N.Y.K. liner MS Hamakura, among them being Miss Helen A. Burton of McKinley Grammar School in Berkeley, Mrs. Gertrude B. Edwards of Calilee and Miss Dorothy Mallet of Balboa high schools of S. F.

The Secretary took this matter up with the San Francisco Examiner to see if the matter was of any interest to the Hearst papers. One of the

editors (Mr. Eppinger) stated he was familiar with and interested in the work of this committee. For reasons best known to him he does not care to run an article on the subject as coming from the paper itself, but says if this committee care to prepare a blast on the matter he will be glad to print it. He gives assurance of future co-operation in anything this committee may bring to him.

Will members please indicate as soon as possible whether or not they approve of giving the matter the publicity Mr. Eppinger suggests.

HINDUS Word comes from Mr. Paul Scharrenberg, now the Legislative Representative of the A. F. of L. in Washington, of a hearing by the House Immigration Committee, June 8th, on behalf of some 3,000 Hindus who asked for naturalization privileges because of their long residence in the United States. They disclaimed any intention of trying to change the immigration laws. After an informal discussion the members of the Immigration Committee realized the impossibility of granting this privilege. Mr. Scharrenberg was present at this hearing and presented the arguments which ~~made~~ brought the Committee to its decision. He assures the committee of future cooperation.

Respectfully submitted

Dorothy Kaltenbach, Secretary

P.S. Word has just been received from the Institute of Pacific Relations that a round table discussion on the subject of Statehood for Hawaii is to be held at Pacific House on Treasure Island on Wednesday evening, July 19th. Members of the committee are being invited to participate in the discussion. The Secretary will be present, and it is hoped that other members may be interested enough to come and lend moral support.

Joint Immigration Committee Hurls Charges On Nisei

New World Sun 7-16-39

Dual status, sore spot of the Nisei, came in for further denunciation by the California Joint Immigration Committee in a letter addressed to the New World-Sun Daily today.

The committee, a self appointed watchdog refutes the statement of the national executive Board of the Japanese American Citizens League during their recent session in San Francisco that the charges of James Fisk, chairman of the California Joint Immigration Committee who claimed that 60 per cent of the Nisei are retaining dual citizenship status is exaggerated. Fisk in a personally signed letter claims that his organization obtained the figures from statements taken from the New World-Sun of May 30, 1939 issue.

The committee also calls the attention to an article in the New World-Sun of July 6, 1939, headed "46 Southland Nisei Drop Allegiance to Japanese Nation by Expatriation," wherein is made the statement that "All children of Japanese subjects are recognized as subjects of Japan regardless of their place of birth unless applications are filed for the removal of this status." They point out this is an error by quoting Prof. Yamato Ichihashi of Stanford University statement that under the nationality law of 1924, Japan no longer automatically claims as her subjects children born of Japanese parents in the United States and certain other countries which confer nationality at birth if within fourteen days after such birth the subject through its legal representative declares its intention of retaining Japanese nationality.

Accompanying the letter, was a mimeographed circular which attacks the dual citizenship status of some of the Nisei and the admittance of Kibei in the JACL. The committee deplores the fact that Kibei are permitted to join JACL whom they consider not Amerieans by training, even though they are by birth.

Following is the reprint of part of the circular.

That the majority of American citizens of Japanese descent are not canceling their Japanese citizenship is proved by the fact that in Hawaii in 1934 out of an estimated total of 103,948 American born Japanese, only 34,270 (about 33 per cent) had expatriated from Japan.

In other words, in spite of the fact they may divest themselves of Japanese citizenship by "simple notification," over 66 per cent of the American born Japanese of Hawaii, and even of those who are registered as voters, are, thru choice, citizens of Japan as well as of the United States. Expatriation figures for California are not available, but it is assumed that the proportion of those having dual citizenship must be about the same as in Hawaii. The 1930 Census gives California 48,979 American born Japanese.

The Japanese American Citizens League has recently inaugurated a campaign to have its members expatriate from Japan. No details thereof have been published so it is not known how successful it has been.

There are in Japan today over 50,000 American born Japanese who are being educated there. These are being urged to return to America where they can use their American citizenship for the best interests of the Japanese. They are, of course, practically Japanese immigrants, having been reared in a Japanese atmosphere. Trey are eligible also to membership in the Japanese American Citizen League.

There is at present now law in the United States which forbids anyone born on the soil from possessing citizenship in another country, as well as the American citizenship conferred at birth. This is, of course, a dangerous weakness in our laws, which should be corrected at once in view of the various nationalistic trends of the day.

HOW TO EXPATRIATE

Any person born in the United States of Japanese parentage may apply for expatriation by calling at the Japanese Consulate at the Postal Telegraph building, 22 Battery Street. A copy of the birth certificate and a copy of the Japanese family record (Koseki Tohon) is attached to the application. Applicants under age will require the signature of the registered head of his family, usually the father, on the Parent's consent sheet of application.

The charge is 20 cents for each application at the Consulate.

The usual time required for the application to reach Japan for review by the Home Ministry and its subsequent approval is normally 90 days, although the applications require between six months to a year before notification reaches the applicant.

C
O
P
Y

July 8, 1939

The Editor
New World Sun
1618 Geary St
San Francisco, California.

Dear Sir:

In an article written by Togo Tanaka of Rafu Shimpo of Los Angeles, and reprinted in the New World Sun of July 4 th, appears the following:

> Charges made by James Fisk, Chairman of the California Joint Immigration Committee, have exaggerated the percentage of Nisei dual citizens, it was indicated in figures placed before the National Executive Board of the Japanese American Citizens League in session here yesterday.
>
> In serious consideration of publicized reports issued by the Immigration Committee that 60 percent of second generation Japanese retained dual status, National Board officers declared that those figures were based on records of a decade ago and gave an entirely inaccurate picture of the present situation.

The California Joint Immigration Committee begs to inform you that its information that 60% of the Nisei have dual citizenship was taken from statements to that effect in the New World Sun of May 30, 1939, and in the Japanese American News of the same date.

Its information to the effect that over 68% of the Nisei in Hawaii have dual citizenship, comes from Governor Joseph Poindexter of Hawaii, who, in a letter to this Committee, February 15, 1936, gave exact figures on the subject as of 1934.

This Committee also calls your attention to an article in the New World Sun of July 6, 1939, headed, "46 Southland Nisei Drop Allegiance to Japanese Nation by Expatriation", wherein is made the statement that "All children of Japanese subjects are recognized as subjectsof Japan regardless of their place of birth unless applications are filed for the removal of this status." Is not this an error? The enclosed release, "Dual Citizenship of American Born Japanese", quotes Prof. Ichihashi of Stanford University, who explains that under her nationality law of 1924, Japan no longer automatically claims as her subjects children born of Japanese parents in the United States and certain other countries which confer nationality at birth.

Very truly yours,

California Joint Immigration Committee

James K. Fisk, Chairman

Enc. #527
xx Togo Tanaka

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, Calif.

Dorothy Kaltenbach, Secretary

DUAL CITIZENSHIP OF AMERICAN BORN JAPANESE

Previous to 1924 Japan claimed as her citizen any Japanese born anywhere in the world. But in that year the Japanese Government, heeding criticism against dual nationality in certain countries granting citizenship by birth, amended her nationality law so that "a child born of Japanese parents in the United States, Canada and certain South American countries . . . is not claimed as a subject of the Japanese Government unless it declares, within fourteen days after birth, through its legal representative, its intention of retaining Japanese nationality. Moreover, even if such a declaration of intention to retain Japanese nationality has been filed, the person may abandon it at any time by making simple notification. Furthermore, the law is retroactive, providing that even those who were born prior to the adoption of the law and who consequently possess dual citizenship, may at any time cancel their Japanese citizenship by a mere notification." *

That the majority of American citizens of Japanese descent are not canceling their Japanese citizenship is proved by the fact that in Hawaii in 1934 out of an estimated total of 103,948 American born Japanese, only 34,270 (about 33%) had expatriated from Japan.

In other words, in spite of the fact that they may divest themselves of Japanese citizenship by "simple notification", over 66% of the American born Japanese of Hawaii, and even of those who are registered as voters, are, thru choice, citizens of Japan as well as of the United States. Expatriation figures for California are not available, but it is assumed that the proportion of those having dual citizenship must be about the same as in Hawaii. The 1930 Census gives California 48,979 American born Japanese.

The Japanese American Citizens League has recently inaugurated a campaign to have its members expatriate from Japan. No details thereof have been published so it is not known how successful it has been.

There are in Japan today over 50,000 American born Japanese who are being educated there. These are being urged to return to America where they can use their American citizenship for the best interests of the Japanese. They are, of course, practically Japanese immigrants, having been reared in a Japanese atmosphere. They are eligible also to membership in the Japanese American Citizens League.

There is at present no law in the United States which forbids anyone born on the soil from possessing citizenship in another country, as well as the American citizenship conferred at birth. This is, of course, a dangerous weakness in our laws, which should be corrected at once in view of the various nationalistic trends of the day.

#527 5-11-39

* Ichihashi -- "The Japanese in the United States" p. 323.

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California Joint Immigration Committee

85 SECOND STREET
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An Unpublished Letter

The letter below to the San Francisco News was not published. The reason is obvious.

November 13, 1933.

For publication in
Public Pulse.

Editor News. Samuel J. Hume, speaking for the California Council on Oriental Relations, criticizes me for the statement that the terms of the Gentlemen's Agreement were not fulfilled by Japan and offers polite assurances of President Coolidge and Secretary of State Hughes to support his views. The following facts of record furnish complete answer.

Japan was to secure under the Agreement, according to the published statements of President Theodore Roosevelt, two results; (1) to prevent increase of Japanese population in continental United States; (2) exclude Japanese laborers as immigrants. The results for the period 1908 - 1923, under Japan's control of this immigration, were as follows:-- (1) Japanese population in continental United States almost trebled. Japanese immigration for that period totaled; immigrants (arrivals) 125,773; emigrants (departures) 41,781; net increase 83,992. (Report Secretary of Labor, 1923, p. 133.) Mr. Hume and others make the mistake of mixing non-immigrant arrivals and departures with those of the immigrant class, and thereby occasionally prove to their own satisfaction that more Japanese have left the country than ever came in (See House Document #600, 68th Congress, Second Session, p. 9). (2) That net increase of 83,992 in Japanese population, as certified by the Department, under the Gentlemen's Agreement, was composed in greater part of adult male laborers, who came to labor and most of whom earned their living while here by labor. That is known to every Californian.

The official manifests show that 56,980 Japanese "laborers" entered the United States after July 1, 1908. Ichihashi quotes the figures in his "Japanese in the United States". Mr. Hume insists, however, that these 56,980 Japanese laborers had acquired residence in the United States, and when counted, were returning from a temporary visit to Japan, as permitted by the Agreement. Mr. Hume in that contention places himself in a curious dilemma, and may choose the particular horn thereof on which he prefers to be impaled. These 56,980 Japanese laborers were composed either (1) entirely of alien Japanese who had acquired residence in continental United States prior to July 1, 1908, or (2) partly of alien Japanese who entered first after the date named. The first supposition is eliminated by the fact that there were not in continental United States in 1908 that number of alien Japanese laborers, and that even of those here at that time a fraction only made the trip back to Japan and return. So that the 56,980 laborers must have been composed in large part of those who entered after July 1, 1908. And every Japanese laborer who so entered under Japan's passport furnishes proof of a direct violation of the Gentlemen's Agreement.

Mr. Hume asserts that I insinuate that Japan is responsible for present smuggling of Japanese immigrants. On the contrary, it is Congressman Dickstein and Mr. Hume who make that insinuation when one says and the other suggests that "fewer Orientals would enter the United States under quota than do now under the 1924 law". I contend that quota to Asiatics will not in itself decrease illegal entry. I have not said, and do not believe, that Japan is encouraging illegal entry as an object lesson to us.

California Joint Immigration Committee
V. S. McClatchy, Exec. Secy.

#356

California Joint Immigration Committee
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Released

INCREASE OF MEXICAN POPULATION

Sacramento, Calif. June 20, 1933. At the recent State Conference for Social Work held in this city, V. S. McClatchy, Executive Secretary of the California Joint Immigration Committee, presented data indicating rapid increase of California's Mexican population, much of it of the Indian peon class, displacing not only white labor, skilled and unskilled, but also white population.

The 1930 census credits California with a Mexican population of 368,000, of which about 45% is in one county, Los Angeles. During the past two years many thousands of indigent Mexicans have been transported to the border at public expense to avoid supporting them permanently, but this loss has been offset to a large extent by a high birth rate and the drift to California from other states. The Hoover visa restriction order, aided by the depression, greatly decreased Mexican immigration thru the open gates, but incidentally offers incentive for increased illegal entry. The $18 head tax and an easily waded Rio Grande offer further encouragement, while the small section of the 807 patrolmen who are called upon to guard 8,000 miles of border and seacoast, can do little to prevent crossing of the Mexican border. The Mexicans now leaving for their home country under county aid announce with unanimity the intention of returning when conditions permit.

From the Registrar of Vital Statistics of the State Board of Health were quoted the following figures, indicating for each county named, first, the Mexican percentage of population, and second, the Mexican percentage of births in 1932; Ventura, 25%, 47%; Imperial, 35%, 57%; Riverside, 22%, 38%; Orange, 15%, 35%; San Diego, 11%, 30%; Santa Barbara, 15%, 36%; San Bernardino, 14%, 35%; Madera, 12%, 25%. Individual towns furnish more startling results. Mexican births equalled or exceeded white births in 1932 in Colton, Corona, San Fernando, Redondo and other towns, while in Santa Paula and in Brawley they were respectively two times and five times as many. The most startling figures are quoted from the state's Mexican Fact Finding Report of 1930, giving the record for births less deaths over a period of seven years in the unincorporated districts of Los Angeles County as Mexican, 4070; white, 241.

Various school superintendents reported in May, 1933, the school registration for Mexicans and whites as follows: In Los Nitos there are 180 Mexican and 55 white children. In other towns Mexicans constitute the following percentages of total school registration; Elsinore, 80%; Thermal, 73%, Calexico, 63%; Brawley, 57%; Westmoreland, 53%, Calipatria, 44%; Barstow, 40%, Corona, 26%; Upland, 22%, Chino, 33%. In Santa Paula the four grammar schools have 1511 Mexican pupils, 54% of the total registration, and an increase in Mexican attendance of 27% over the preceding year. In counties containing populous cities the percentage of Mexican school registration is high. Los Angeles County registers 12½%, with an estimated increase of 1,500 Mexican pupils over the preceding year. In San Bernardino County, 15% of the pupils are Mexican and in Riverside County, 23%; Ventura, 37%.

Attention was called to the social liability created by Mexican immigration. Some years ago Los Angeles spent over a million dollars to eradicate the pneumonic plague introduced by Mexicans. In Orange County the death rate from tuberculosis is 9 times as great for Mexicans as for other races--355 per 100,000 as compared with 42--and Mexicans, constituting 10% of the population, furnished 34% of clinical cases, occupied 34% of the total beds in the county hospital, and 57% of the beds in the tubercular wards. Similar conditions are to be found in other southern California Counties.

#316
6-20-33

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JAPANESE IMMIGRATION - QUOTA OR EXCLUSION

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The California Joint Immigration Committee answers the two leading Proponents of Quota

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The following statement answers seriatim the 15 points of a recent argument in favor of opening the immigration gates under quota to Asiatics, sponsored jointly by the San Francisco Chamber of Commerce and the California Council on Oriental Relations. This answer is made on behalf of the California Joint Immigration Committee, representing the California Department American Legion, State Federation of Labor and the Native Sons of the Golden West.

The references, "A", "B", "C", etc., indicate authorities and documents, listed on the last page hereof, which furnish corroboration and further explanation of averments herein.

Each point made in behalf of quota by its sponsors is quoted below, either verbatim or briefed, followed by the answer thereto, with references.

\- - -

No. 1. EXCLUSION OR RESTRICTION?

Argument---"The rigid restriction of Asiatics is of vital importance to the best interests of California."

Answer---Not "rigid restriction", but "absolute exclusion" of Asiatics in the future is vital to California. The Gentlemen's Agreement, announced as a plan for rigid restriction of Japanese immigration, was to be carried out by Japanese good faith instead of enforced by United States law. As negotiated, it was to cover only immigration to continental United States, but Japan voluntarily agreed it should apply also to Hawaii. Today over one-third of Hawaii's total population is Japanese; over two-thirds is Asiatic. Hawaii, a United States Territory, is lost to the white race. Note later in this statement how the Gentlemen's Agreement has failed to accomplish its agreed purpose in continental United States. The only "rigid restriction" of Asiatic immigration which would be effective under all possible future conditions is absolute exclusion for permanent settlers. (See "A", pp. 3 to 51; "J").

No. 2. EXCLUDE POLITELY!

Argument---"Exclusion legislation should conform with recognized principles of international courtesy, making for mutual understanding, etc."

Answer---Efforts had been made continuously for nearly 20 years to secure Japanese exclusion under friendly arrangement with Japan. The Gentlemen's Agreement of 1907, which made Japan responsible for accomplishment of the purpose, was violated in that, while under it Japanese population in continental United States was not to increase, and Japanese laborers were to be absolutely barred (see "A", p. 12 to 18; "D" p.411 to p. 414; "H", p. 104), such population trebled between 1907 and 1920. The report of the Secretary of Labor for 1923, p. 133, states that net gain in Japanese immigration over emigration in continental United States, excluding non-immigration elements, for the period 1908 - 1923, was 83,992. The greater portion thereof consisted of adult Japanese aliens nearly all of whom were laborers, being even listed on the manifests as such, and they continuously earned their living in California and elsewhere by labor. The records of the Immigration Bureau show that during the period named, 56,980 Japanese, classed officially as laboring men, entered. Only a small portion thereof entered under the provision which permitted laborers who had acquired residence in the United States prior to July, 1908, to visit Japan and return. (See "C", p. 316, footnote #14).

After 1917, Japan was the only Asiatic country (except the Philippines) which continued to send us unassimilable immigrants, exclusion from all other countries of Asia, whose nationals are ineligible, being enforced by special laws. President Theodore Roosevelt had an express understanding with Japan that if she failed to secure the results called for by the Gentlemen's Agreement the United States would enact a special Japanese exclusion law, similar to that which excludes Chinese. (See "A", p. 13, 14; "D"; and "H".) Instead of enforcing that understanding, Congress sought in 1924 to find a plan that would not thus hurt Japan's pride. Japan and her friends insisted on either a new agreement, a treaty, or a quota allowance. Each of such plans called either for surrender of national sovereignty, or sacrifice of Congressional control of immigration, or abandonment of the principle of exclusion of ineligible Asiatic immigration, or a combination of two or all three thereof. (See "A", p. 28; "C", p. 314-316.) The plan adopted, general exclusion of all ineligibles, was the only one suggested that met the requirements of the case.

No. 3. IS THE ACT DISCRIMINATORY?

Argument---"The 1924 immigration act is discriminatory and casts a needless stigma on Asiatic peoples."

Answer---It is not discriminatory against Japan, certainly, because it bars as immigrants all aliens ineligible to citizenship, in which category is included half the population of the world, the Japanese constituting only 7% of such half. It is admitted that Japanese are mentally, morally and physically the equal of Caucasians, but racial differences and racial pride, and social conditions and ineligibility to citizenship make them hopelessly unassimilable. Even the second generation as demonstrated in California and even Hawaii, notwithstanding individual merit, form a separate, unassimilated racial group. Exclusion of ineligibles casts no reflection on the mental, moral and physical fitness of those excluded. They are excluded because their unassimilability makes them a danger to the political health of the nation, as immigrants deficient physically would offer danger to the physical health of its citizens. In neither case can the exclusion be considered discriminatory. (See "B", p. 1 to 4; "H", p. 42 to 46; "J": "C", p. 311, 312.)

No. 4. NATURALIZATION AND LAND LAWS.

Argument---"Quota, if extended to Asiatics, affects neither our naturalization laws nor our alien land laws."

Answer---Quota for Asiatics would defeat the intent of the naturalization law because it would encourage making citizens, thru birth on the soil, of units not racially fitted for such citizenship. It would affect the intent of the alien land law by granting land ownership to those who, notwithstanding citizenship by birth, are not assimilable into American citizenry. (See No. 3 Answer.) The present law is a logical and necessary corollary of the 150 year old naturalization law.

No. 5. ONLY 185 JAPANESE!

Argument---"Under quota only 185 Japanese and 105 Chinese would be admitted annually."

Answer---The actual number of Japanese or Chinese who could be admitted annually under grant of quota under the present law and conditions is not the vital point involved. If that number were only 5 it would still be necessary to repeal the 1924 exclusion law and abandon thereby its basic principle. However, the Japanese would be but a fraction of the number of ineligible Asiatics whom we would have to admit, since we could not well grant to the Japanese a privilege denied to other Asiatics, equally friendly. And even that large number of unassimilable entrants would be swelled greatly by minor changes in the law. For instance, if Asiatics enjoyed the quota, the plan of allotment in force from 1924 to 1928, the retention of which was advocated by President Hoover, would admit 2,000 Chinese per year. Under special non-quota allowance many Japanese could be admitted. If Japanese were granted the right of immigration, Japan would perhaps demand in time the right to send in as many immigrants as any other first class power. Such a demand would be strictly in line with others she is now making. (See "C", p. 319-320; and "E").

No. 6. WHY NOT ALSO FOR ASIA?

Argument---"Quota has for 9 years effectively and satisfactorily restricted European immigration. Quota is the right way to do the right thing."

Answer---Even if it be assumed that quota has satisfactorily restricted immigration of those who are eligible to American citizenship, and therefore assimilable (it was reinforced during the past three years by the order of President Hoover instructing American Consuls to refuse quota visas) that offers no logical argument, and certainly no proof, that the conceded danger of admitting unassimilable immigration would disappear if such immigration came in under quota.

No. 7. QUOTA AND LABORERS

Argument---"No laborers of any kind would be admitted under quota, since U. S. Consuls in Japan and China would refuse Consular visa to anyone * * * likely in any way to compete with American labor."

Answer---That is a mistake. Quota, if granted to Asiatics, would admit Asiatics under precisely the same terms as Europeans; and European laborers are not barred by the law. In this argument the quota proponents doubtless have in mind the executive order of President Hoover, authorizing U. S. Consuls to refuse the Consular visa and thus cut down quota from any country to say 10% of the allowance. That order, while undoubtedly beneficial in result, was really an invasion by the Executive of the Congressional prerogative to control immigration. President Hoover himself recognized that fact in time, and a year before his retirement called attention of Congress thereto, suggesting that his order be replaced by Congressional legislation to accomplish the same purpose. In any event, such an order could not be used in discrimination against Asiatics.

No. 8. QUOTA CANNOT DECREASE ENTRANTS.

Argument---"Under quota it is believed fewer Orientals would enter the United States than do now under the 1924 law."

Answer---That is an unfounded and illogical contention. With the same laws and conditions in force as now, the number of Orientals who would secure admission, if quota were granted, would be increased over the present number by exactly the number admitted under quota. With the exception of ministers and professors and their families, no such Asiatics come in legally now, save for temporary residence as merchants, students or visitors. Those who come in illegally enter because Congress and the Administration fail to provide adequate means for enforcing the law. Such illegal entrants will not be diminished in number by grant of quota.

No. 9. ASIATIC QUOTA FOR WHITES?

Argument---"These negligible quotas, 185 and 105, would in great part be filled by members of the white race * * * * no laborers would be admitted."

Answer---Both statements are inaccurate. Japan would use her entire quota, naturally, for her own nationals, and so would China. Any attempt by our Consular agents to force either nation to use her quota for resident aliens of the white race would cause international trouble. As for laborers, see answer to No. 7.

No. 10. QUOTA IN THE BARRED ZONE

Argument---"Quota extended to countries in the barred zone area would mean a minimum courtesy quota of 100 only to a few obscure countries, * * * open to members of the white race and to natives of the business and professional classes only."

Answer---That is a mistake. There is a present "courtesy quota" of 100 for the countries referred to, which can be used, not for their own nationals, but only for aliens resident in such countries and eligible to American citizenship, who do not find it convenient or practical to enter under quota of their native land. Formal quota, if granted to Asiatics under the proposed plan, would guarantee them the same rights in immigration as are conceded to the nationals of any European

country. Nothing less would satisfy Japan, even for the time being. (See answers to No. 7 and No. 9, above.)

No. 11. STATISTICS vs FACTS.

Argument---"In the last 9 years 20,000 more Japanese have departed from the United States than have arrived. (Report of United States Commissioner of Immigration.)"

Answer---The Report of the Secretary of Labor for 1923, p. 133, declares that between 1908 and 1923 Japanese total immigration into continental United States was 125,773, and emigration 41,781, a net gain of 83,992, during the period when the Gentlemen's Agreement guaranteed practical exclusion of Japanese immigration. (See "B", p. 9.) Regardless of feats of legerdemain that may be done with statistics of legal arrivals and departures, (usually by adding "non-immigration" figures) the Japanese population of continental United States, and particularly California, has not decreased in the past 9 years, while such population in Hawaii has materially increased. Illegal entry may have had something to do therewith. The number of Japanese now in this country has no necessary connection with the question, "Shall we formally open the immigration gates to ineligible Asiatics, now excluded under the law?"

No. 12. PERCENTAGES vs PRINCIPLES.

Argument---"The Japanese in California represent 1.7% of the total population. They are constantly decreasing in proportion to the total population of the state."

Answer---The Japanese in California decrease in proportion because the white population of the state increases very rapidly. The Japanese do not decrease in number. They congregate in certain counties, where they gradually secure more or less dominance. In Hawaii the ascendency secured by the Asiatic population has discouraged any material increase of Caucasian population there. Hawaii may serve at least as a warning.

No. 13. BASIC ISSUES INVOLVED?

Argument---"This is only a question of good manners. No basic issue is at stake. Grant of quota sacrifices no material interest and would remove the only source of friction to mar peaceful relations."

Answer---There is a basic issue at stake. Shall we abandon the basic principle of exclusion of aliens who are ineligible to American citizenship, and in consequence unassimilable, and whose children, citizens by birth, have proved also unassimilable, a separate, undigested racial group? We certainly sacrifice a material interest if by repeal of the exclusion act we abandon the only plan suggested which will prevent an inflow of the unassimilable Asiatic races under all possible future conditions.

And even in abandoning that safeguard we would not insure good will because the concession would only invite early demand for Japan's ultimate announced goal, "racial equality", the same rights in all matters for her nationals as are conceded to Europeans. (See "B", p. 23 & following; "C", p. 315,316.) It would in no case change Japan's already inaugurated plans for excluding the United States and other nations from trade with Asia and for invading such nations and supplanting their domestic trade with her own goods produced with modern machinery and a labor cost one third to one quarter that even of England. (See "G").

No. 14. AMERICANS SHOULD DECIDE.

Argument---"This is a question for Americans to decide without dictation from any other power."

Answer---True. But Japan seeks to dictate to us in this matter, and the urge in her behalf from various American groups, religious, commercial and other, for 18 years past has been made at the suggestion of Japan and under covert threats of ill will and loss of trade if we fail to make the concession. (See "J".)

Yes, it is a question for Americans to decide; but for such Americans as hold that national welfare should guide their decision, rather than the demands of foreign powers or the interests of groups, sections or cults in our own country.

No. 15. YIELD: AND SET A GOOD EXAMPLE!

Argument---"We can well afford to set an example in this matter by maintaining justice and courtesy for all."

Answer---That is the plea which has been made for many years whenever the United States was called upon by foreign nations, or by selfish American interests to sacrifice itself at the demand or for the benefit of others. We scrapped our Navy; we paid the war expenses of Europe, and now are asked to pay for the outlay she has made since the war in monstrous new war preparations; we have accepted for permanent settlement and citizenship during the past 30 years many undesirable elements of European immigration; we opened the gates wide to the entrance of two million unassimilable Mexican peons at the demand of employers of cheap labor, and as a "friendly gesture to a neighbor".

We have by such suicidal policy contributed to unemployment in the United States times greater than exists in any country we have thus mistakenly befriended. We have apparently earned in addition their contemptuous regard as a weakling. We have made thereby immeasurably greater the task which President Franklin D. Roosevelt faces at home and abroad. And now we are asked to open our gates to Asiatic immigration to avoid the displeasure of Japan.

Japan very wisely excludes Chinese immigration under Imperial Ordinance No. 352, though in 1924 China made her seventh protest thereat, calling attention to Japan's inconsistency in enforcing such exclusion while demanding entrance for Japanese immigration into the United States.* Let us act in immigration and in all other matters with the same scrupulous care for the national welfare as do other nations.

*(See "B", p. 35.)

California Joint Immigration Committee,

V. S. McClatchy, Executive Secretary.

San Francisco, California,
November 13, 1933.
#348

REFERENCES

"A" - "Japanese Immigration Legislation". Hearing before Senate Immigration Committee on S. 2576 - 68th Congress, First Session, March, 1924.

"B" - "Japanese Exclusion - A Study of the Policy and the Law". J. B. Trevor, House Document #600, 68th Congress, Second Session.

"C" - "Quota or Exclusion for Japanese Immigrants?" Report of a year's study by the Commonwealth Club of California, December 20, 1932.

"D" - Autobiography of Theodore Roosevelt, p. 411 to 414.

"E" - "What! Only 185 Japanese to Insure Peace on the Pacific?" - V. S. McClatchy San Francisco Examiner, August 19, 1933. C.J.I.C. Document #327.

"F" - "Genesis of Japan's Movement for Quota." V. S. McClatchy, San Francisco Examiner, August 26, 1933. C.J.I.C. Document #329.

"G" - "Trade Follows the Flag - Home." Upton Close, Saturday Evening Post, October 21, 1933.

"H" - "Japanese Immigration and Colonization." V. S. McClatchy. Brief presented to the Department of State, 1921.

"J" - "Quota for Japan", C.J.I.C. Document #270.

"K" - "The Japanese Problem in California" C.J.I.C. Document #246.

Even college professors and men in public life, regardless of position, ability or reputation, may err when, without intimate knowledge of the law and the facts, they offer advice or venture opinion in connection with the complicated subject of Asiatic immigration and Japanese quota.

Careful reading of C.J.I.C. Document #390, attached hereto, "Restriction of Asiatic Immigration Under Past and Present Exclusion Laws and Proposed Quota", briefed in 500 words, will correct some of the mistaken impressions most frequently entertained.

Extra copies of the document may be had by addressing the California Joint Immigration Committee, 85 Second Street, San Francisco, and references supporting any questioned point will be furnished on request.

#393
4-23-34

California Joint Immigration Committee
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RESTRICTION OF ASIATIC IMMIGRATION
Under Past and Present Exclusion Laws and Proposed Quota

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When Congress took up consideration of the immigration question in 1924, immigration from Asia was restricted as follows:--(1) by the Chinese Exclusion Act which, with modifications, had excluded the Chinese since 1882; (2) by the Act of 1917 excluding indigenous or colored races of the "Barred Zone", including India, Malaysia, the Dutch East Indies, Siam and certain sections of the Asiatic continent; (3) by the Gentlemen's Agreement to exclude Japanese, which became operative July 1, 1908. The first two had accomplished their declared purpose. The third failed, its two-fold purpose of excluding laborers and preventing increase of Japanese population in continental United States (as outlined by President Theodore Roosevelt) being defeated thru violations which the immigration officers could not prevent. The courts in many habeas corpus proceedings declared that the Agreement, being neither law nor treaty, could not be enforced or violations punished thru court action.

WHAT EXCLUSION OF INELIGIBLES ACCOMPLISHED

To remedy that situation the exclusion of all aliens ineligible to citizenship was demanded under a uniform law by various organizations and interests. Sec. 13 (c) of the 1924 Act was framed to carry out that plan. It automatically abrogated the Gentlemen's Agreement and nullified treaties and laws so far as in conflict. Congress, however, failed to repeal the two exclusion laws covering China and the Barred Zone respectively, declaring instead (Sec. 25) that the provisions of the Act are in addition to and not in substitution for the provisions of the immigration laws already in force; and that no alien may be admitted as an immigrant if he be barred either by the Act of 1924, or by immigration laws then in force. In consequence, since 1924, immigration from Japan has been regulated solely by the 1924 Act, while that from certain other portions of Asia has been regulated partly by that act and partly by the laws already in force.

PRESENT IMMIGRATION FROM JAPAN

The 1924 Act recognizes two classes of immigrants, "quota" and "non-quota". Japan at present is not entitled to any "quota" immigrants for its natives of Japanese race. It has a courtesy quota of 100 for natives of races eligible to our citizenship. Japan's "non-quota" immigrants are restricted under Sec. 13 (c) to:--(1) a former immigrant returning from a temporary visit abroad; (2) a minister of any denomination or college professor with wife and minor unmarried children; (3) a student coming for temporary stay. As the law is rigidly enforced, the average of 632 Japanese immigrants admitted annually since 1924, according to the Immigration Bureau reports, must have been confined to the three classes named. A number of other Japanese were admitted for temporary residence and not classed as immigrants under Sec. 3, including government officials with servants and employees, tourists and visitors, seamen awaiting trans-shipment, merchants carrying on trade under existing treaties.

WHAT GRANT OF QUOTA WOULD DO

It has been asserted that grant of formal quota to Japan would reduce the average Japanese annual immigration from 632 to exactly 185. That is a mistake. Japan would be entitled thereby to 185 "quota" immigrants, but also to such "non-quota" immigrants, whether 632, or more or less, as could enter under Sec. 4, (b), (d), (e). In addition, the attendant cancellation of Sec. 13 (c) would open the gates to many other non-quota immigrants under Sec. 4 (a) and (c), including alien Japanese wives (threatening another picture bride flood) and all Japanese born in free states of the Western Hemisphere, whether coming from Japan or any other country. Japanese natives of all quota countries could also qualify for admission under the respective quota limitations of such countries. The present annual Japanese immigration would be swelled probably to a few thousand. Illegal entry will continue regardless of quota, if the administration is tolerant and Congress fails to provide adequate appropriation and machinery for apprehension and deportation.

In repealing Sec. 13 (c), as would be necessary even if quota were granted to Japan alone, complications would ensue as to immigration from other parts of Asia. For instance, admission would be granted to any member of the colored races in the Barred Zone now barred by Sec. 13 (c) excepting Chinese resident in the Zone who would still be subject to the Chinese exclusion law.

If quota were granted to other Asiatic races as well as to the Japanese, it is probable that both the Chinese exclusion act and the Barred Zone provisions of the 1917 Act would be repealed, in which event we would be subject to a flood of immigrants from all the colored races of Asia similar to the flood of Japanese which we would face, as explained above.

#390 - 3/27/34

California Joint Immigration Committee

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San Francisco, Cal.

Released April 3, 1934.

JAPANESE IMMIGRATION - PRESENT AND POSSIBLE

Prof. E. K. Strong, Jr., of Stanford University, in a recently published article, calls attention to the fact that an average of 632 Japanese immigrants have entered annually during the eight years, 1925 to 1932, and declares that "quota will restrict this number to 185 a year".

The California Joint Immigration Committee, however, explains that the 632 immigrants referred to entered "non-quota", either as former immigrants, returning from a temporary visit abroad, or ministers and college professors with families, students coming for temporary stay, all under special exception as called for by Sec. 13 (c) of the Act of 1924; and that similar exceptions are allowed to all countries, whether entitled to quota or not.

It appears that Japan, if entitled to quota since 1924, could have sent in as immigrants not only the "quota" allotment of 185, but also the 632 "non-quota"; and in addition other "non-quota" immigrants under Sec. 4 (a) and (c), including an unlimited number of alien Japanese wives for American citizens of Japanese ancestry, and any Japanese born in a free state of the Western Hemisphere. Japanese immigration could then have run into thousands coming annually for permanent settlement instead of the 632 referred to, some of whom were immigrants previously accepted and returning from a visit abroad, and others coming for a limited stay.

#391

Released May 22, 1934

JAPANESE-AMERICAN CITIZENS LEAGUE

Ukiah, May 22, 1934.

In a report of the California Joint Immigration Committee, considered at the State Convention of the Native Sons of the Golden West reference was made to the growth of the Japanese-American Citizens League organized five years ago by "Nisei", (second generation Japanese) for promotion of the interests of Japanese-American citizens. It has twenty-one bodies in the three Pacific Coast States, another is being formed in Idaho and affiliation with similar bodies in Hawaii is contemplated. It is stated that in California there are already 5,000 Japanese-American voters, 3,000 of whom are in Los Angeles County. At the biennial convention in 1932 a demand for entrance of alien Japanese wives for Nisei men was approved. Recently the Los Angeles District Conference endorsed a demand for open gates for Japanese immigration under quota and will submit the matter for action to the biennial convention at San Francisco in August.

The report points out that entrance of alien Japanese wives as urged would encourage renewed importation of picture and kankodan brides which under the Gentlemen's Agreement increased annual Japanese births in California from 455 in 1908 to 5275 in 1921. Under the 1924 exclusion provision the births decreased to less than 1700 in 1933. The report points out that the Nisei are individually fine young men and women, mentally, morally and physically, a credit to their race and to California, but that the activities of the League indicate an inclination to develop an unassimilated hyphenated group subordinating national interest to racial ambitions.

#400

California Joint Immigration Committee

85 SECOND STREET
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San Francisco, Cal.

BRAZIL'S OFFER OF QUOTA DISPLEASES JAPAN

For years Brazil has maintained a liberal policy in admitting Japanese immigrants on the theory that they would aid materially in developing her resources. Her Japanese population now exceeds 150,000 and under present arrangements is being augmented by 25,000 or more annually. In consequence, Japan has regarded Brazil as her most promising field for colonization on the Western Hemisphere. A question has arisen, however, as to the assimilability of the Japanese with the Brazilian population, and efforts are being made to restrict that immigration to a minimum. A proposed amendment to the Constitution has been formally endorsed by 130 out of the 254 Deputies of the National Assembly, under which the annual immigration from Japan would be limited hereafter to 2% of the number of Japanese in Brazil, say about 3,500 per year.

Foreign Minister Hirota of Japan stated to the Japanese Diet that such action would "leave a blot on the history of cordial relations between our two countries", and that "to forestall such an unfortunate development" the Japanese Ambassador at Rio de Janeiro had been instructed "to deal with the matter in an appropriate manner". That included the tender of a formal protest in which is contained the significant declaration that the proposed action "will have a serious bearing and at the same time cast a dark shadow upon the friendly relations between Brazil and Japan", and that "the Japanese Government * * * * cannot but desire that the Brazilian Government will cope with the situation in order to clear away such apprehension of Japan".

In addition, Brazil has definitely repudiated an arrangement made by the League of Nations under which 14,000 Assyrians were to have colonized in Brazil, the belief being that such an element of immigration would not be of benefit.

#392
4-5-34

JAMES K. FISK
DEPT. ADJ. AMERICAN LEGION
(CHAIRMAN)

PAUL SCHARRENBERG
SEC.-TREAS. STATE FED. OF LABOR

JOHN T. REGAN
GRAND SEC'Y NATIVE SONS
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California Joint Immigration Committee

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CHARLES M. GOETHE
PRES. IMMIGRATION STUDY COM'N
(TREASURER)

HON. U. S. WEBB
STATE ATTORNEY GENERAL

V. S. McCLATCHY
(EXECUTIVE SECRETARY)

COPY

June 1, 1934.

Mr. Samuel J. Hume, Editor,
"Quota"
Berkeley, California

Dear Sir:

Your attention is called to certain misleading statements made in the April-May number of "Quota", published by the California Council on Oriental Relations.

The California Joint Immigration Committee, in offering for public information a carefully verified 500 word brief on the subject, said that "Even college professors and men in public life, regardless of position, ability or reputation, may err, when, without intimate knowledge of the law and the facts, they offer advice or venture opinion in connection with the complicated subject of Asiatic immigration and Japanese quota".

"Quota" derides that suggestion as a reflection on responsible advocates of quota, and then naively furnishes corroboration of its merit by commendatory reference to an earlier statement of Professor E. K. Strong, Jr., of Stanford University, that an average of 632 Japanese immigrants entered this country annually between 1925 and 1932 and that "quota will restrict this number to 185 a year".

The public now knows that the group of 632 was composed entirely of former residents returning from a temporary visit abroad, of ministers and college professors with their families, and of students coming for temporary stay--all classed as "non-quota" entrants; and that they would have entered, in addition to 185 quota immigrants, had Japan been entitled to quota. (See C.J.I.C. Doc. #391, Apr. 3, and letter of Commr. Gen. of Immigration, D. W. MacCormack, Mar. 15). You yourself made a similar mistake in confusing "immigrant" and "non-immigrant" entrants in your letter to the S. F. News in November, 1933. (See C.J.I.C. Doc. #356, my unpublished answer of Nov. 13)

Professor Strong, like others equally sincere and equally able, erred because he made a statement and "ventured an opinion without intimate knowledge of the law and the facts". When he learned of the error he ceased to repeat it. "Quota" and other advocates of open gates for Asia have done Professor Strong no kindness and themselves no credit by giving his original statement continued publicity notwithstanding their knowledge of the error.

"Quota" in the same issue lays itself open to further criticism in re-publishing a statement made in March to the effect that "Secretary of State Hull *** finds that if the Japanese Exclusion Act were cancelled it would not affect the United States. Not a single additional Japanese would land in California". Secretary Hull formally disclaimed making such a statement in a Department letter, April 10th, as covered in C.J.I.C. Doc. #394, issued April 23rd, which received newspaper publication and general distribution.

Certainly few--we believe none--of the members of the California Council on Oriental Relations whose names are published in "Quota" will countenance that sort of publicity. While it may mislead some of the public temporarily it will discredit the organization at once with those who know the facts and ultimately with all who learn of them.

"Quota" carries an excellent maxim at its mast head. "Prejudice in the background of the human mind prevents the intake of truth". It must have been temporarily lost sight of in issuing the April-May issue.

Truly yours,

California Joint Immigration Committee

#464

V. S. McClatchy, Exec. Secy. James K. Fisk, Chairman

LIST OF REFERENCES

* (a) - Various documents quoted in whole or in part in Senate Immigration Committee hearing, March, 1924, pp. 12 to 19. * * * President Theodore Roosevelt's Autobiography, pp. 411 to 414. * * * "Japanese Immigration and Colonization"; Brief prepared for consideration of State Department by V. S. McClatchy, 1921, p. 104 and elsewhere.

* (b) - 1924 Hearing, p. 16; also Roosevelt Autobiography.

* (c) - Statements California Joint Immigration Committee, December 16, 1933, and two of February 13, 1934, to the President's Committee on Revision of Nationality Laws. * * * Immigration Bureau Reports, 1919, p. 348; 1920, p. 364; and others.

* (d) - Senate Immigration Committee Hearing, 1924, p. 26 and following; "Picture Brides and their Successors", Sacramento Bee, November 28, 1921; birth reports, California State Board of Health; "Genesis of Japanese Quota", San Francisco Examiner, August 26, 1933.

JAMES K. FISK
DEPT. ADJ. AMERICAN LEGION
(CHAIRMAN)

PAUL SCHARRENBERG
SEC.-TREAS. STATE FED. OF LABOR

JOHN T. REGAN
GRAND SEC'Y NATIVE SONS
OF THE GOLDEN WEST

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(EXECUTIVE SECRETARY)

OFFICIAL STORY OF THE PICTURE BRIDES

The recent inside story from Washington referring to Japan's diplomatic sacrifice of its "picture brides" as a maneuver to end agitation for exclusion of Japanese laborers, gathered from the 1919 correspondence of the State Department, does not disclose the most interesting phases of the picture bride story. That at least is the statement made by V. S. McClatchy, Executive Secretary of the California Joint Immigration Committee, who supplies the missing phases from records in possession of the Joint Committee as follows:

THE GENTLEMEN'S AGREEMENT

The Gentlemen's Agreement, a mass of secret correspondence conducted under President Theodore Roosevelt's direction during the fiscal year 1907, became operative at Japan's request in July, 1908. Roosevelt stated its two-fold agreed purpose as (1) the exclusion of Japanese laborers from continental United States, and (2) prevention of increase of Japanese population in continental United States. The United States agreed to admit for residence without question any Japanese bearing Japan's visa, and Japan agreed to so guard the issue of visas as to insure accomplishment of the Agreement's two-fold object. If the plan proved unsuccessful the United States was to enact a Japanese exclusion law similar to that excluding Chinese. *(a)

THE 1911 TREATY

The plan worked well during the remainder of Roosevelt's term of office (less than a year) but not thereafter. In 1911, under President Taft, a new Treaty of Commerce was made with Japan, which Roosevelt declared would destroy the safeguards against Japanese immigration provided in his Gentlemen's Agreement. In consequence, the Senate declined to approve the Treaty until the Japanese Ambassador had signed a footnote thereto in which he declared, with full authority, that his government would faithfully observe the intent of the Gentlemen's Agreement as to non-admission of laborers, as it had in the preceding three years. *(b)

JAPAN'S OPERATION

Notwithstanding that guarantee, Japan sent over during the following nine years many thousands of laborers, as shown by the Immigration Bureau reports. They were detained at the ports of entry, but ordered released from Washington, or by the Courts under habeas corpus for lack of jurisdiction, the Gentlemen's Agreement being neither law nor treaty. So far as known, the Washington Administration did nothing to force Japan to comply with her obligations under the Agreement, nor to denounce the Agreement because of non-compliance. *(c)

PICTURE BRIDES

The picture bride plan was adopted to furnish wives for those laborers who had entered in violation of the Gentlemen's Agreement, with the result that by 1920 the Japanese population in continental United States had nearly trebled, while the annual Japanese births in California increased from 455 in 1908 to over 5,000. Because of unfavorable public comment, and at the suggestion of the Federal Council of the Churches of Christ in America, which had since 1915 sought to secure immigration and naturalization privileges for the Japanese, Japan, in August, 1920, ceased to ship picture brides. They were immediately replaced, however, with "kankodan" (excursion) brides, who entered during the next few years in even greater number than had the picture brides. Under the kankodan plan, a Japanese resident of the United States could go to Japan and, if seeking a bride, remain for three months without performing military duty and return with his bride, at a total expense approximating that which would have been incurred in securing a picture bride. *(d)

RESULT OF THE 1924 LAW

The act of 1924 excluded all aliens ineligible to American citizenship, and barred therefore Japanese laborers and brides. In consequence, Japanese population in continental United States (aside from illegal entries) has remained nearly at a standstill since, while annual births in California have dropped from a peak of 5,725, to less than 1,700.

The barring of brides, however, has imposed no hardship on the Nisei (American citizens of Japanese ancestry), since among them the sexes are equally divided. If, however, a Nisei young man prefers a bride thoroughly Japanese in thought, training and standards, he is at liberty to select one from the thousands of Japanese maidens, born American citizens, but educated since early childhood in Japan, and still residing there. That is the present adaptation of the "kankodan" bride plan.

#406
-1-22-35

JAMES K. FISK
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Released

JAPANESE PROPAGANDA IN AMERICAN PUBLIC SCHOOLS

Japan is adding to her elaborate and frank system of propaganda in the United States a plan thru which pupils in the high schools throughout this country are to use text books prepared in Japan and giving the Japanese point of view on matters national and international.

Protest was made to the Territorial School Commissioners of Hawaii by the Sino-Korean Peoples League of Honolulu, in a letter, December 11, 1934, against countenancing such a plan. In that letter it is stated that the plan was approved at a Departmental Conference of the Japanese Government at Tokyo, November 21, 1934; that there were present thereat the Department heads for Foreign Office, Education Department, Cultural Bureau, Overseas Education Institution, Promotion of International Cultural Relations Society, and Prince Fushimi, Chief of the Japanese Naval Supreme War Council, the founder of Hawaii's Prince Fushimi Scholarship Association, incorporated in 1924.

Setsuechi Aoki, General Secretary of the Promotion of International Cultural Society, said, "For several years the school heads of Hawaii and America with the aid of many more influential educators and missionaries made a thorough survey of American text books for the Japanese Society. The survey revealed that if proper propaganda is systematically carried out in the schools the American children will become strong friends of Japan."

Concerning the proposed free distribution of Japanese text books in our public schools, Mr. Okada, the head of the Cultural Bureau and former Consul General of Hawaii, stated "that all the necessary arrangements have been made with the Public Instruction, also with the various religious and social leaders in Hawaii".

The plan includes also distribution among all the Japanese language schools in Hawaii and America of "educational material concerning the vital national defense policy of Japan", and also the distribution free of charge to the teachers of all public schools in Hawaii of "reading material, portfolios containing Japanese pictorials and other graphic materials for school room use, etc."

The letter of the Sino-Korean Peoples League concludes as follows: "Undoubtedly you are aware of the significance of such projects in Hawaii. We are very deeply touched and concerned with the action of the Public Instruction taking a hand aiding in spreading Japanese propaganda in Hawaii. We believe the result will be disastrous to Americanization of the American citizens of Japanese ancestry. God knows they have enough contact with the things of Japan and the Yamato and Bushido Spirit in their homes and in the language schools. Why let the Japanese Government promote Japanism even in the public schools?"

Confirmation of these statements is found in a news item published December 3, 1934, in the "Japan Times and Mail" of Tokyo, a newspaper maintained by the Japanese Government for the purpose of presenting to readers of the English language the Japanese Government point of view on current matters. The article is headed, "High School Students in U. S. To Be Given Books With Correct Information on Japan", and states: "The Society of International Cultural Relations at its meeting Monday afternoon decided on a plan to be followed for the compilation of school text-books to be used for diffusing correct information on Japan. * * * * Material of instruction will cover almost every phase of modern Japan, embracing topics on the government, economic and social conditions, art, etc., which will be presented in a way that will appeal to the average high school student in America."

Japan's "International Cultural Bureau" is allowed 2,500,000 Yen in the Foreign Office Budget for 1935, while the recently created "Society for International Cultural Relations" is supported by liberal contributions from Mitsui and Mitsubishi.

#407 2-5-35

California Joint Immigration Committee

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JAPAN'S PSYCHOLOGY AND AMERICAN INTERESTS

The Japanese people believe, their leaders including the frank and forceful Matsuoka, proclaim, and their school children are taught that Japan, as the only nation whose ruler is Heaven-descended, is destined to rule the world. That belief dictates the policy and acts of Japan and of the Japanese.

That policy received formal declaration at the ceremonial naming of the new Heir to the Japanese throne when the Court Scholar, Dr. Ichimura, quoted from the ancient classics this language: "The essence of ruling the people lies in the enlightening of them. * * * If there are persons not yet properly governed, it is because they have not yet benefitted by the Imperial rule. * * * If those who have not yet received enlightenment under the Imperial rule are found they are to be subjugated."

A knowledge of Japanese psychology in such matters makes understandable the calm ruthlessness with which Japan during the present century has defied protests and ignored or violated agreements and treaties, and conquered and annexed adjacent territory and held it under commercial or military control in furtherance of her varied interests; it will explain to some extent the air of placid superiority with which she suggests that certain acts of other nations displease her sensitive people and should cease--for instance the inexcusable act of the United States in floating its Navy on the Pacific Ocean, and our recently announced intention to construct the Nicaragua Canal, which prompted Japan to prefer a request to Nicaragua that she be granted equal rights in construction and control of such Canal; it will explain why Japan accepts compliance with demands of this character as recognition of the position to which the Gods have assigned her and entertains corresponding contempt for the nations which, as she assumes, thru weakness or fear, comply with the demands; it will explain the calm assurance with which she openly propagandizes in this country for accomplishment of her purposes and asks and secures the aid of American citizens and interests in furtherance thereof.

It may even enable us to appreciate the humor in her latest move--a well defined plan announced in the Japan Times of Tokyo, English language spokesman for the Foreign Office, December 4, 1934, to introduce into our public school curriculum a system of text books to be prepared in Japan with friendly counsel from a representative of the Institute of Pacific Relations, and designed to cover all matters on which Japan wishes this country to be "properly informed".

In connection with that plan the General Secretary of the Society for International Cultural Relations reported that a thorough survey made for it by "the school heads of Hawaii and America with the aid of many more influential educators and missionaries * * * revealed that if proper propaganda is systematically carried out in the schools American children will become strong friends of Japan." *

The Sino-Korean Peoples League of Hawaii made, in December, a strong protest to the Territorial Commissioners of Education against the introduction of such text books, declaring that the result "will be disastrous to Americanization of the American citizens of Japanese ancestry"; that "they have enough contact with the things of Japan in their homes and in the Japanese language schools, and why promote Japanism in the public schools."

Imagine the reaction in Japan if the United States announced preparation by it of text books for use in Japan's public schools to "properly inform" Japanese pupils on subjects of concern to us!

---

* C.J.I.C. Release #407, which will be mailed on request.

Released

California Joint Immigration Committee
85 SECOND STREET
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* Copy of Item in Japan Times, Tokyo, Japan.
December 4, 1934.

HIGH SCHOOL STUDENTS IN U.S. TO BE GIVEN

BOOKS WITH CORRECT INFORMATION ON JAPAN.

The Society of International Cultural Relations at its meeting Monday afternoon decided on a plan to be followed for the compilation of school text-books to be used at high schools in the United States for diffusing correct information on Japan.

According to the plan, the collecting and provisional compilation of Material on Japan will be undertaken by a committee in this country, while final compilation will be done by a joint committee including both American and Japanese members. It was also decided at the meeting to present the draft by the Japanese committee to Mr. Lasker, chairman on the cultural relations of the I. P. R.**for his suggestions before sending it to the joint Japanese-American committee for final compilation.

Material of instruction on Japan will cover almost every phase of modern Japan, embracing topics on the government, economic and social conditions, art, etc., which will be presented in a way that will appeal to the average high school student in America.

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* The "Japan Times and Mail" published at Tokyo under direction of the Foreign Office.

** I. P. R. - The Institute of Pacific Relations, whose members in recent biennial sessions - notably at Banff, Canada, in 1933, were urged by the Japanese delegation thereto to proselyte for immigration quota for Japan.

For further information in regard to this subject see C.J.I.C. Releases #407 - #408.
#409 2-7-35

JAMES K. FISK
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(CHAIRMAN)

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STATE ATTORNEY GENERAL

V. S. McCLATCHY
(EXECUTIVE SECRETARY)

Released

JAPAN PROPOSES TO INSTRUCT OUR PUBLIC SCHOOL STUDENTS

The Japan Times and Mail, English language voice of the Foreign Office of Japan, in its issue of December 4th last, published an interesting item headed, "High School Students In U.S. To Be Given Books With Correct Information on Japan". The article states that the Society of International Cultural Relations has adopted a plan for compilation of text books for the purpose indicated, to be prepared in Japan by a special committee with suggestions from a representative of the Institute of Pacific Relations. The books will cover, it is stated, "almost every phase of modern Japan . . . in a way that will appeal to the average high school student in America".

The Society of International Cultural Relations is an organization supported by such powerful commercial interests as Mitsui, Mitsubishi, etc. It acts under direction of the Government Bureau of Cultural Relations, which has been allowed an appropriation of 2,500,000 Yen in the 1935 budget. "Cultivating cultural relations", is Japanese for "inviting foreign approval of Japan's point of view". The Japanese delegates to the Institute of Pacific Relations, at its recent bi-ennial sessions--and particularly at that held at Banff, Canada, in 1933, as shown by news reports--sought to secure the co-operation of American delegates thereto to obtain from the United States an immigration quota for Japan.

USE OF THE BOOKS PROTESTED IN HAWAII

Further information as to the text book plan is found in a letter of protest addressed by the Sino-Korean Peoples League of Honolulu to the Territorial School Commissioners of Hawaii, December 11, 1934. Therein it is declared that the plan was approved at a meeting of departmental heads of the Japanese government, including the Foreign Office, at Tokyo, November 21, 1934. At that meeting, Mr. Okada, head of the Bureau of Cultural Relations and former Consul General of Hawaii, is quoted as saying, concerning the proposed free distribution of Japanese text books, that "all the necessary arrangements have been made with the Public Instruction and also with the various religious and social leaders of Hawaii".

Setuechi Aoki, General Secretary of the Society of International Cultural Relations, is quoted as stating that "for several years the school heads of Hawaii and America, with the aid of many more influential educators and missionaries, made a thorough survey of American text books for the Japanese society. The survey revealed that if proper propaganda is systematically carried out in the schools the American children will become strong friends of Japan".

The plan includes also distribution among all the Japanese language schools in Hawaii and America of "educational material concerning the vital national defense policy of Japan".

The letter of the Sino-Korean Peoples League protests against such proposed use of the public schools "in spreading Japanese propaganda in Hawaii" and declares that "the result will be disastrous to Americanization of the American citizens of Japanese ancestry". *

* Details in C.J.I.C. Releases #407-8-9.

#410 2-13-35

Suggestion: Imagine the reaction in Japan if the United States were to publicly announce its intention to introduce into the public school system of Japan text books prepared under its direction furnishing "correct information" concerning the United States and its policy and views.

James K. Fisk (Ch.)
American Legion

Paul Scharrenberg
State Fed. of Labor

John T. Regan
Native Sons G.W.

CALIFORNIA JOINT IMMIGRATION COMMITTEE
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GArfield 2697

SAN FRANCISCO, CAL.

Chas. M. Goethe
Imm. Study Com.

Hon. U.S. Webb
State Atty. Gen.

V. S. McClatchy
(Exec. Secy.)

Released April 19.

WILL HAWAII SUPPRESS INVESTIGATION OF JAPANESE PROPAGANDA IN PUBLIC SCHOOLS

Honolulu, April 19, 1935.

On March 27, 1935, a petition was presented to the Hawaiian Legislature by W. K. Lyhan on behalf of the Sino-Korean Peoples League, asking for investigation of charges as to Japanese propaganda activities in Hawaii, including the introduction into the public schools of text books covering Japan and her place in the sun, prepared under Japanese direction. The petition was referred to the Committee on Education, where, according to news reports sent to the mainland, it will probably be pigeonholed. On December 11, 1934, the same organization filed a protest against use of such school text books with the Commissioners of Public Instruction of the Territory, but it received no publicity.

Lyhan states that demand has been made upon him by certain interests concerned in the text book plan and by others (fearful lest agitation of the subject should prejudice Hawaii's chance for statehood) for withdrawal of the petition made to the Legislature; and that he has been threatened with deportation as an undesirable alien if he continues his activities in connection therewith. He has refused to comply with these demands, declaring that the charges are substantiated by documentary proof, that citizens of Hawaii and of the mainland as well are concerned with learning whether such charges be true or false, and that he is prepared to defend his action and his status as a legal resident of Hawaii.

The following outline of the case is gathered from statements, not yet contradicted, which appeared in the petition to the Legislature; in the protest to the Commissioners of Education, covering report of a meeting of certain departmental heads of Japan, held November 21, 1934; in an item published December 4, 1934, in the Japan Times and Mail, English language voice of Japan's Foreign Office; in an official report of the Superintendent of Public Instruction of Hawaii, Oren E. Long, February 20, 1935, and in comment thereon by Lynan in a letter of March 5, 1935.*

The Department of Cultural Relations, Japan's instrument for foreign propaganda, after careful survey and encouragement received from educational and church authorities in the United States, decided that "if proper propaganda is systematically carried out in the schools American children will become strong friends of Japan". Arrangements were made for use of such text books in the Hawaiian public schools, and the initial volume is now ready for printing in Honolulu. The material therefor was gathered in Japan under the direction of Okada, head of the Bureau of Cultural Relations, formerly Consul General at Honolulu, and with assistance from Bruno Lasker of the Institute of Pacific Relations. The book was compiled at Honolulu by Dr. Nisamichi Royama of the Imperial University at Tokyo (who had three months leave for the purpose) assisted by Miss Helen Gay Pratt "of the Institute of Pacific Relations and the Department of Public Instruction".

It is charged that the plan also provides specifically for distribution in the Japanese language schools of Hawaii of "educational material concerning the vital national defense policy of Japan". Those language schools are attended by over 50,000 young Japanese, nearly all of them American citizens. The protest declares that use of such propaganda in the schools will tend to further Japanization of Hawaii and "will be disastrous to Americanization of American citizens of Japanese descent".

#420-A

*Copies of these documents are in the office of the California Joint Immigration Committee. * * * C.J.I.C. Docs. #407-8-9-10 contain details of the matter.

California Joint Immigration Committee
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Released

THAT TEXT BOOK ON JAPAN

It Will Be Rewritten, but Under the Same Auspices

The New York Times, July 14th, contains an interview with Helen Gay Pratt, of the General Office of the Institute of Pacific Relations at Honolulu, but now in New York, in which she answers certain charges concerning the text book on Japan of which she is co-author. The book has been used experimentally in Honolulu high schools and is being studied at Columbia University for general use in mainland high schools.

The charges are that the book is a piece of Japanese propaganda, prepared under auspices of the "Society for Cultural Relations of Japan", with aid of the Institute of Pacific Relations and approval of the Hawaiian Commissioners of Education, and that it conceals or grossly misrepresents important facts. Those charges were made to the Hawaiian Commissioners of Education December 11, 1934, to the Hawaiian Legislature March 27, 1935, and to the California State Superintendent of Public Instruction June 21, 1935. The co-authors of the book are Professor M. Royama, of the Imperial University of Tokyo, and Professor G. M. Sinclair of Honolulu, formerly an instructor in Japan.

Miss Pratt stated in her interview that she is "not an expert on Japan, but is primarily interested in how books shall be written to be of effective school use", and that her collaborators "assisted her only with the research". Concerning the charge of gross misrepresentation of facts in connection with the immigration question she said that she "would be glad to correct any errors of fact though she still felt that the Japanese Exclusion Act was a disgrace to the United States". She said that in the book on Japan she had not fully explained matters in Manchuria because a previous book on China had done so; and that the books on both Japan and China will be entirely rewritten so as to "avoid troubling high school students with questions which international statesmen could not solve".

Apparently, however, the book on Japan is to be rewritten under the same auspices and with the same or similar assistance in research.

#424
7-23-35

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, California.

WOULD ADMIT 100,000 INELIGIBLE ASIATICS
A Feature of Hawaiian Statehood

Statehood for Hawaii, now under consideration by Congress, is urged by certain elements in the Territory because Hawaii's influence in Congress would be greatly increased if it had two Senators and a Representative with votes, instead of a single Delegate without vote. Governor Judd, in 1931, in vetoing a legislative resolution therefor, declared that Hawaii would be unwise to accept statehood until experience had shown how the Asiatic majority would use the franchise. (Ref. a)

Among organizations which oppose statehood for clearly defined reasons are the Veterans of Foreign Wars, American Federation of Labor, State Grange of California and Native Sons of the Golden West. In 1923 the American Legion in National Convention strongly opposed statehood. (Ref. b)

There are in Hawaii today over 100,000 ineligibles, now barred from migration to the mainland (Filipinos and alien first generation Japanese and Chinese) who would be free to settle in any one of the mainland states if and when Hawaii were granted statehood.

It is asserted that Hawaii, as the nation's western outpost, remote from the mainland, should be safeguarded against possibility of disaffection. Its population is 68% Asiatic and 38% Japanese. Japanese now hold the balance of political power. They will in a comparatively short time control absolutely. While American born Japanese who have renounced Japanese citizenship may desire to be loyal Americans, not many could oppose the interests of Japan if there be trouble with that nation.

Under Japan's new nationality law all Japanese born in Hawaii after December 1, 1924, lose Japanese citizenship automatically at birth; but 45% of that number have been reinstated as Japanese citizens by registration at the Japanese Consulate. Of those born prior to the date named only a small minority have availed themselves of the right to divest themselves of Japanese nationality. The remainder, of their own volition, are subject to Japan's orders in peace and in war. (Ref. d)

Over 90% of the young Japanese who are American citizens are compelled to attend the Japanese language schools where they are taught loyalty to the Mikado by Japanese teachers, two-thirds of whom are alien Japanese Shintoists, while the remainder are Japanese of American birth who were instructed by those Shintoists. (Ref. e) It has been publicly charged and not yet denied that Departments of the Japanese Government have announced a plan to distribute in Hawaii's Japanese language schools propaganda concerning "Japan's national defense policy" (Ref. f) and have succeeded in introducing into Hawaiian public schools, with the aid of the Institute of Pacific Relations and endorsement of the Territorial Education Commissioners, a text book on Japan concealing or misstating the facts which American citizens should know. -- See charges filed with the Commissioners of Education of Hawaii, December 11, 1934, (suppressed); request to Hawaiian Legislature, March 27, 1935, for investigation, (pigeonholed); and statement, with exhibits, filed with the California State Superintendent of Public Instruction, June 21, 1935, (open to inspection). (Ref. g)

REFERENCES: (a) C.J.I.C. #270; (b) Hearing, Sen. Com. Immig., March, 1924, p. 139; (c) C.J.I.C. #423; (d) Honolulu Advertiser, October 13, 1935; (e) C.J.I.C. #425; (f) C.J.I.C. #414; (g) Sacramento Bee, June 21, 1935; C.J.I.C. #426.

#432 - 12-9-35

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, California.
GArfield 2697

Released 12-30-35

MEXICAN INDIANS DENIED NATURALIZATION

A Bar to Further Immigration

The U. S. Federal Court at Buffalo, N.Y., John Knight, Judge, has declared Mexican Indians ineligible to American naturalization and therefore inadmissible as immigrants. It held, in a decision rendered December 11, 1935, that they are not included in any of the three categories fixed by the naturalization law,to-wit:--"Aliens being free white persons, and aliens of African nativity, and persons of African descent". The court also held that the Rodriguez decision rendered in Texas in 1897, that Mexicans are white and eligible to citizenship, "was not consistent with later decisions of the U.S. Supreme Court".

The decision of the Buffalo Federal Court is an important one because of its effect on our existing relations with Mexico, 40% or more of whose population is Indian. The Immigration Restriction Act of 1924 permitted the entrance as immigrants without quota of all citizens of countries of the Western Hemisphere not otherwise ineligible. Under that provision for several years between 100,000 and 200,000 Mexican immigrants entered the United States annually, legally and illegally. Indians were admitted by the immigration authorities without question because of the order of Secretary of Labor J. J. Davis declaring all Mexicans, regardless of race, eligible to American naturalization.

That order was protested by the California Joint Immigration Committee to Secretary Davis and to his successor Secretary Doak as in conflict with the rule laid down by the U. S. Supreme Court in the cases of Ozawa (Japanese), 1922, and Thind (high class Hindu), 1923, to the effect that members of the yellow and brown races are not "white persons" within the meaning of the law. That rule, it was claimed, indicated clearly a similar classification for members of the Indian or red race. The protest was supported by a clear cut opinion from State Attorney General U. S. Webb of California. A request for a test case in the matter was denied by both Secretaries.

The Joint Committee protest and Attorney General Webb's opinion were made part of the record in the Buffalo case. The census of 1930 showed over 360,000 Mexican population in California, most of which had been admitted since 1924 and under the Davis order.

#434
12-24-35

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, California.

JAPAN INVADES THE PUBLIC SCHOOLS
What Hawaiian Students are Taught

In June, 1935, Vierling Kersey, Supt. of Public Instruction of California, made public facts concerning a text book on Japan, then in use in the public schools of Honolulu and which was under consideration by the Lincoln Teachers College, Columbia University for use in high schools of continental United States (a). It was charged before the Legislature of Hawaii that the book was an instrument of Japanese propaganda compiled and published under joint auspices of the Society of Cultural Relations of Japan, the Institute of Pacific Relations, and the Department of Education of the Territory, in the belief that "if proper propaganda is systematically carried out in the schools the American children will become strong friends of Japan" (b). * * * Despite authoritative statements in July that the book would be entirely rewritten and mistakes if any, corrected, new protests made in Hawaii in December declare that use of the book has increased (c).

Supt. Kersey has received from the California Joint Immigration Committee an analysis of certain portions of the book substantiating the charges made (d). It is pointed out therein that Chapter V, purporting to give in brief a reliable sketch of the policies, activities and international relations of Japan during the present century is evasive or misleading as to most of the important occurrences. * * * The conquest of Manchuria, creation of the puppet state of Manchukuo, siege of Shanghai and occupation of various districts of Northern China are supposed to be sufficiently covered for the information of inquiring American students by the following paragraph:--"During the World War and afterwards Japan played a part in China utterly different than anything previously known. Japan entered actively into the internal affairs of that great and disorganized country, imposing the 21 demands in 1915, and beginning an economic penetration of the country by lending money and establishing factories." * * * Korea, which was annexed in violation of treaty obligations, receives only two brief mentions, one in connection with the request for two new Army Divisions "to maintain order in Korea", and another in regard to "the cost of maintaining order in a hostile dependency such as Korea". * * * The Nine Power Treaty is dismissed with the statement that "this treaty dealt with maintaining the territorial integrity of China and Open Door trade relations with China". * * * The Chapter closes with the statement that "this brief survey . . . may serve to indicate the growing complexity of the problems of contemporary Japan and their international significance".

In Chapter V, and also at pp. 129 and 150, are statements concerning Japanese immigration to the United States and the "Gentlemen's Agreement", which the Joint Committee declares "are so much at variance with the records of the facts, accessible to anyone, as to discredit the entire book". The text book states that the Gentlemen's Agreement provided for entrance of 200 Japanese annually; that the Agreement was scrupulously kep by Japan; and that the law of 1924, excluding all aliens ineligible to citizenship,"was one of the most unjustifiable and unfortunate pieces of legislation imaginable". In refutation of those statements it is pointed out on the published authority of Pres. Theodore Roosevelt, under whose direction the Gentlemen's Agreement was made, that (1) the Agreement did not permit the entrance of any number of Japanese immigrants per year (2) that it was made for the agreed purpose of excluding Japanese immigration; (3) tha to save Japan's "face", instead of passing an exclusion act, as in the case of Chinese immigration, the object was to be secured by Japan so limiting her passports as to exclude all Japanese laborers and to prevent increase of Japanese population in continental United States; (4) that if the plan failed to accomplish those purposes it was to b replaced by an exclusion act (e).

Official records show that the terms of the Agreement were not complied with. Thousands of male laborers were sent over with passports; they were detained at ports of entry, but released under habeas corpus by Federal Courts, which disclaimed jurisdictio the Agreement being neither law nor treaty; the male laborers were followed by thousand of picture and kankodan brides, nearly all of whom came to labor in the fields and incidentally to increase the population by births. California's protests were unheeded until 1924, when under a nationwide demand, Congress was forced to substitute for the Agreement a general law excluding all aliens ineligible to citizenship--the only one of five plans proposed which would accomplish, without discrimination, the agreed purpose of the Agreement (f).

References: (a) Sacramento Bee, 6-21-35. (b) Japan Times & Mail of Tokyo, 12-4-34; Protest to Comnrs. of Education, 12-11-34; C.J.I.C. #414, #432. (d) Letter C.J.I.C., 1-15-36. (e) T. Roosevelt's Autobiog.,pp. 411-414; his telegram to Calif. Legisl., 2-9-09; Hearing Mar. 1924, Senate Immig. Com.; House Doc. #600, Feb. 1925; House Imgn. Com. Rept. 3-24-24. (c) Interview H.G. Pratt, N.Y. Times 7-14-35; Supt. Oren Long letter to C.J.I.C., 7-12-35.

(#438 - 1-20-36)

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, Calif.
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Released 4/12/37

JAPANESE RESIDENTS OPPOSE "ANTI-ALIENISM"

A large portion of the Japanese population of California, including both aliens and American born citizens, is united in open opposition to bills now under consideration by the State Legislature, which it terms "anti-alien bills". That condition is evidenced by official declaration and action of the Japanese American Citizens League, which includes perhaps a majority of the American born Japanese on the Coast (nisei) who are of age, and which is maintained for the declared purpose of fitting its membership for fulfillment of duties as American citizens. The condition is further evidenced by comment in the vernacular press which is owned and controlled, as a rule, by the issei (alien Japanese residents).

In "The Pacific Citizen" (official organ of the J.A.C.L.) for March, 1937, and also in the Japanese newspapers, is recorded the action of the Southern California District J.A.C.L. at a meeting March 13th, in launching a campaign to raise $2,000, to be used in conjunction with funds raised in other portions of the state, to defeat the bills objected to. Included in that category are measures to put a stop to further violation of the alien land law; to license foreign language schools and prevent teaching therein of loyalty to foreign countries or disloyalty to the United States; to forbid commercial sea fishing by aliens, as has been the law for 12 or 15 years in Oregon and Washington.

In an editorial in the same March issue "The Pacific Citizen" explains that the opposition of the American citizens of Japanese parentage to what it terms "anti-alienism" is based on the fact that the average age of the nisei in California is 15 years, that they are dependent on their alien elders for support, and that laws now in force or proposed "which would limit the economic activities" of those elders would "impair the welfare of the young". It concludes that "one cannot remain indifferent under such realities."

One Japanese who signs himself "A puzzled Nisei of Berkeley," calls attention in a published letter, to the inconsistency of second generation Japanese, claiming and enjoying the rights of American citizenship, and of an organization pledged to train its members for performance of the duties of that citizenship, in demanding from a State Legislature that the laws be so drawn or so changed as to further the interests of resident aliens rather than the needs and welfare of the nation. He had in mind apparently what would happen in Japan if resident Americans there were to make similar demands on the Japanese Diet and to publicly solicit funds to accomplish the purpose.

#486

James K. Fisk (Ch.)
American Legion

Edw. D. Vandeleur
State Fed. of Labor

John T. Regan
N. S. G. W.

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Chas. M. Goethe
Imm. Study Com.

Hon. U. S. Webb
State Atty. Gen.

V. S. McClatchy
(Exec. Secy.)

Released
4-15-37

JAPAN WILL FORGIVE US IF QUOTA BE GRANTED

Official acts and public announcements indicate that Japan has already inaugurated a general campaign to force the United States to admit alien Japanese as immigrants by grant of quota.

Domei (the Japanese news association) reports in the vernacular Japanese newspapers that in the Japanese House of Representatives on March 23rd, Nakamura, a member thereof, who has made a study of the immigration question on several occasions when in the United States, asked if the government intends to do anything about the "humiliating" exclusion act which still remains on the statute books of the United States. He said, "Does the government intend to open negotiations for the repeal of the exclusion act?" Foreign Minister Naotake Sato avoided direct commitment in his reply, but stated that he understands American opinion is growing in favor of settlement of the question and that the matter is now before the American Congress, but that Japan "has no definite intention to open the issue at the moment, however, pending a more auspicious time".

That the "auspicious time" is already here is clearly indicated by the arrival in San Francisco on March 25th of Ken Sato, international editor of the Osaka Mainichi and the Tokyo Nichi Nichi, the two leading newspapers of Japan, on an important mission which will consume three or four months. Mr. Sato, in an interview in the Honolulu Advertiser, March 10th, stated that his mission is to explain to "American editors, Congressmen and the President. . . the injustice of the law [the immigration restriction measure of 1924 excluding aliens ineligible to citizenship], the humiliation it heaps upon us [the Japanese nation], the international ill will it has created". He said further, "All we ask is that the United States nullify this obnoxious law. . . the one great barrier to perfect harmony between the two nations and undisturbed peace in the Pacific thru time eternal". He promised that "when the law is repealed and Japan is placed on an equality with other peoples all will be forgiven and we will forever regard America as our friend".

Japan's representative at the recent meeting of the "raw materials" committee of the League of Nations at Geneva made formal demand for the right of colonization for Japan's crowded population in countries of less dense population and rich in natural resources. Several American organizations and groups are cooperating with Japan in her present demand, among them the Federal Council of the Churches of Christ in America thru affiliated organizations, and the National Council for the Prevention of War.

In California the Japanese, both alien and American born, are urging opening of the gates to alien relatives and naturalization of Japanese aliens already here, and announce the raising of a fund to defeat Legislative bills designed to prevent further violation of the state's alien land laws.

A similar campaign, inaugurated in 1930, and marked by the determined fight of the California Council on Oriental Relations to reverse public opinion in California, culminated in 1933 in a plea to the President's Cabinet Committee on Revision of the Nationality Laws to recommend to Congress the grant of quota to Japan. The report of that Committee, ready in early 1936, though not then presented, contained no mention of the subject; the entire Congressional Delegations of California, Washington and Oregon, some months before the 1934 election, in a letter to President Roosevelt, declared themselves "vigorously opposed" to any modification of the exclusion law; and, in consequence, there was no mention of the subject, in committee or on the floor in either House of Congress during the sessions of 1934, 1935 and 1936; while proponents of quota found it useless to suggest to the California Legislature in 1931 and 1933 reconsideration of the resolution unanimously adopted by that body in opposition to repeal or modification of the exclusion act.

#487

Even college professors and men in public life, regardless of position, ability or reputation, may err when, without intimate knowledge of the law and the facts, they offer advice or venture opinion in connection with the complicated subject of Asiatic immigration and Japanese quota.

Careful reading of C.J.I.C. Document #390, attached hereto, "Restriction of Asiatic Immigration Under Past and Present Exclusion Laws and Proposed Quota", briefed in 500 words, will correct some of the mistaken impressions most frequently entertained.

Extra copies of the document may be had by addressing the California Joint Immigration Committee, 85 Second Street, San Francisco, and references supporting any questioned point will be furnished on request.

#393
4-23-34

California Joint Immigration Committee
85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

RESTRICTION OF ASIATIC IMMIGRATION
Under Past and Present Exclusion Laws and Proposed Quota

- - - - - - - - - -

When Congress took up consideration of the immigration question in 1924, immigration from Asia was restricted as follows:--(1) by the Chinese Exclusion Act which, with modifications, had excluded the Chinese since 1882; (2) by the Act of 1917 excluding indigenous or colored races of the "Barred Zone", including India, Malaysia, the Dutch East Indies, Siam and certain sections of the Asiatic continent; (3) by the Gentlemen's Agreement to exclude Japanese, which became operative July 1, 1908. The first two had accomplished their declared purpose. The third failed, its two-fold purpose of excluding laborers and preventing increase of Japanese population in continental United States (as outlined by President Theodore Roosevelt) being defeated thru violations which the immigration officers could not prevent. The courts in many habeas corpus proceedings declared that the Agreement, being neither law nor treaty, could not be enforced or violations punished thru court action.

WHAT EXCLUSION OF INELIGIBLES ACCOMPLISHED

To remedy that situation the exclusion of all aliens ineligible to citizenship was demanded under a uniform law by various organizations and interests. Sec. 13 (c) of the 1924 Act was framed to carry out that plan. It automatically abrogated the Gentlemen's Agreement and nullified treaties and laws so far as in conflict. Congress, however, failed to repeal the two exclusion laws covering China and the Barred Zone respectively, declaring instead (Sec. 25) that the provisions of the Act are in addition to and not in substitution for the provisions of the immigration laws already in force; and that no alien may be admitted as an immigrant if he be barred either by the Act of 1924, or by immigration laws then in force. In consequence, since 1924, immigration from Japan has been regulated solely by the 1924 Act, while that from certain other portions of Asia has been regulated partly by that act and partly by the laws already in force.

PRESENT IMMIGRATION FROM JAPAN

The 1924 Act recognizes two classes of immigrants, "quota" and "non-quota". Japan at present is not entitled to any "quota" immigrants for its natives of Japanese race. It has a courtesy quota of 100 for natives of races eligible to our citizenship. Japan's "non-quota" immigrants are restricted under Sec. 13 (c) to:--(1) a former immigrant returning from a temporary visit abroad; (2) a minister of any denomination or college professor with wife and minor unmarried children; (3) a student coming for temporary stay. As the law is rigidly enforced, the average of 632 Japanese immigrants admitted annually since 1924, according to the Immigration Bureau reports, must have been confined to the three classes named. A number of other Japanese were admitted for temporary residence and not classed as immigrants under Sec. 3, including government officials with servants and employees, tourists and visitors, seamen awaiting trans-shipment, merchants carrying on trade under existing treaties.

WHAT GRANT OF QUOTA WOULD DO

It has been asserted that grant of formal quota to Japan would reduce the average Japanese annual immigration from 632 to exactly 185. That is a mistake. Japan would be entitled thereby to 185 "quota" immigrants, but also to such "non-quota" immigrants, whether 632, or more or less, as could enter under Sec. 4, (b), (d), (e). In addition, the attendant cancellation of Sec. 13 (c) would open the gates to many other non-quota immigrants under Sec. 4 (a) and (c), including alien Japanese wives (threatening another picture bride flood) and all Japanese born in free states of the Western Hemisphere, whether coming from Japan or any other country. Japanese natives of all quota countries could also qualify for admission under the respective quota limitations of such countries. The present annual Japanese immigration would be swelled probably to a few thousand. Illegal entry will continue regardless of quota, if the administration is tolerant and Congress fails to provide adequate appropriation and machinery for apprehension and deportation.

In repealing Sec. 13 (c), as would be necessary even if quota were granted to Japan alone, complications would ensue as to immigration from other parts of Asia. For instance, admission would be granted to any member of the colored races in the Barred Zone now barred by Sec. 13 (c) excepting Chinese resident in the Zone who would still be subject to the Chinese exclusion law.

If quota were granted to other Asiatic races as well as to the Japanese, it is probable that both the Chinese exclusion act and the Barred Zone provisions of the 1917 Act would be repealed, in which event we would be subject to a flood of immigrants from all the colored races of Asia similar to the flood of Japanese which we would face, as explained above.

CALIFORNIA JOINT IMMIGRATION COMMITTEE
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WHY DENY IMMIGRATION QUOTA TO JAPAN?

In order to avoid recurrence of the serious conditions existing in California prior to the enactment of Section 13 (c) of the 1924 immigration restriction act excluding aliens ineligible to citizenship as permanent immigrants to the United States it is imperative that the young men and women of this state, unfamiliar with conditions then existing, fully inform themselves as to the actual facts upon which passage of that law was based.

Many individuals and organizations interested in evengelization, trade, world peace, etc., are attempting to obtain Japan's good will by seconding her efforts to effect repeal of the exclusion provision. Propaganda designed to develop a friendly attitude toward Japan, misleading in character when not distorting the truth, has been disseminated thru the public press, in a text book used in the schools of Hawaii and otherwise, by those agencies. An attempt is now being made to introduce courses in Pacific Relations and Japanese Culture into public schools of California under a plan formulated in Japan (C.J.I.C. Doc. #414), and the California Joint Immigration Committee has sent two formal protests to the California Superintendent of Public Education concerning text books containing misleading Japanese propaganda.

In order to obtain a knowledge of the facts and conditions that resulted in enactment of the exclusion measure, as well as of developments since its adoption in 1924, it is suggested that reference be had to numerous available records, including the hearings of the two Immigration Committees of Congress, 1919 to 1924; "Californi. and the Oriental", report of the State Board of Control of California, 1920; "Japanese Exclusion - A Study of the Policy and the Law", J. B. Trevor, House Doc. #600, 1925; documents and records of the California Joint Immigration Committee; and "Quota or Exclusion for Japanese Immigrants?"--the report of a year's investigation made in 1932 by the Commonwealth Club of California at San Francisco, and covering fully both sides of the question.

Exclusion of Asiatics is in conformity with the principles enunciated by the founders of this nation who sought to establish a homogeneous citizenry. Under the naturalization law of 1790 only "free white persons" were eligible to become naturalized; and later one exception was made, namely grant of citizenship to persons of African nativity and descent. Chinese were excluded in 1882; Hindus and other specified Asiatics were excluded under the Barred Zone Act of 1917. These measures were successful in excluding those proscribed by it. The Gentlemen's Agreement of 1908 was made for the express purpose of checking increase of Japanese population in continental United States. Following the failure of the Agreement and adoption of the 1911 Treaty of Navigation and Commerce with Japan, it was found necessary to enact the much controverted Asiatic exclusion provision of the immigration act of 1924. Five plans were under consideration at that time, but the law adopted was the only one which safeguarded the interests of this country while giving least cause for offense. That the Gentlemen's Agreement failed in its purpose is indicated by the fact that Japanese population in continental United States increased from approximately 50,000 in 1906 to 150,000 in 1920; and of that number approximately two-thirds resided in California.

Conditions of race, language, culture, devotion to the Mikado as head of Japanese religion, dual loyalty, lower standards of living, acquisition of a large portion of desirable farming lands in California's agricultural counties, Japanese language schools, and similar conditions led to many racial controversies; enactment of the California alien land act of 1913 provoked diplomatic controversies between the United States and Japan.

Today of over 100,000 Japanese born in Hawaii, two-thirds retain dual citizenship. Of 15,317 registered Japanese voters, all but 5,768 voluntarily remain subject to Japan's orders in peace and in war. Similar conditions no doubt exist in California, but statistics are not available. Efforts are being made by the Japanese community here to bring back to this country American-born Japanese sent to Japan in early childhood for education there, known as the Kibei Shimin, estimated to approximate 50,000 in number. Members of this group are aliens in every particular except in the right to American citizenship. Those who are promoting this movement desire that these Kibei Shimin help in retaining control of the fruit and vegetable growing and marketing established by the Japanese in this state, particularly in the southern portion thereof.

Contrary to statements made by advocates of quota that fewer Japanese would come in under quota than come at present, the fact is that more would enter. Today practically all Asiatics with the exception of "laborers" may enter this country and remain for stated periods, including visitors, students, members of professions, ministers, members of the diplomatic corps with their servants and families, all being non-quota immigrants. If quota were granted, each Asiatic country would have a minimum annual quota of 100, the total of which would be a considerable number. (Each Asiatic country now has a minimum quota of 100 for members of eligible races who are resident there.) Every American-born Asiatic could import a wife born in Asia, who would rear her family to Oriental numbers and standards. And the non-quota immigrants would continue to come in, as at present.

Significant indeed is the fact that while advocates of a quota for Asiatics are insisting that this country let down the only effective permanent barrier against an influx of Asiatic immigration, Japan, under Imperial Ordinance 352 excludes not only her own Korean subjects, but also Chinese laborers, and for one of the major reasons that this country has seen fit to exclude unassimilable aliens ineligible to citizenship, namely inability to compete with those having lower standards of living and willing to work long hours and under adverse conditions.

Brazil, with a population composed approximately of 80% colored persons, has found it necessary to limit immigration of Japanese by adoption of a 2% quota law. Even this has not proven satisfactory, many more Japanese coming in than called for under quota, and other restrictive measures are being sought. New Zealand, Australia and Canada have taken measures to protect themselves against Oriental peaceful penetration and have been so firm about enforcing these measures that Japan no longer protests "hurt feelings".

It is well to consider our neighbor, but it is of prime importance that consideration be given to the welfare of our own state and nation. Japan repeatedly demands racial equality and the right of migration of her subjects to sparsely settled nations, but the welfare of the people of the United States will not be enhanced by development in this country of alien, unassimilable groups, whose language, culture and aspirations are so at variance with our own.

#465
9-24-36

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, California
Dorothy Kaltenbach, Secretary

HAWAIIAN STATEHOOD
and
DUAL CITIZENSHIP

At the general election on November 5th, the citizens of the Territory of Hawaii indicated by a two to one vote that they desire statehood. This does not mean that Congress will grant statehood--it only means that the citizens themselves, a majority of whom are of Oriental extraction, believe that Hawaii should be a state, with the right to elect those who govern it.

A most interesting phase of that election was the approval by the electorate of the Republican candidate for the Territorial Senate, Sanji Abe. During the entire campaign and up to November 2nd, Abe was a citizen of both the United States and Japan! He was only expatriated three days before election, when his papers were rushed from Tokyo!

When the Territory of Hawaii will elect to its highest legislative body a man who had the temerity to seek and accept the nomination for office while still owing allegiance to Japan, the question may well be asked, "Is Hawaii ready for the responsibilities of Statehood?".

Hawaii is this country's most important fortification. Over one-third of its voters are of Japanese ancestry, and of these about 60% have dual citizenship--are citizens of Japan as well as of the United States, and are subject to military duty in Japan. The safety and welfare of the one hundred and thirty million Americans in the whole nation must not be jeopardized by turning over the government of its most important military outpost to a majority of Asiatic descent whose allegiance is largely divided.

#542
November 14, 1940

James K. Fisk (Ch.)
American Legion

Paul Scharrenberg
State Fed. of Labor

John T. Regan
Native Sons G. W.

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Imm. Study Com

Hon. U.S. Webb
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V. S. McClatchy
(Exec. Secy.

HAWAIIAN TROUBLES COME TO MAINLAND

Propaganda in Public Schools

In the office of Vierling Kersey, State Superintendent of Public Instruction, at Sacramento, is a copy of a text book on Japan now in use in the public schools of Honolulu and urged by its authors for use in the public schools of California and other mainland states. Accompanying the book is a statement with exhibits from the California Joint Immigration Committee in support of the charge originally made before the Hawaiian Legislature, that the book misrepresents, in the interest of Japan, certain historical facts and available official records in matters of material concern to the United States. The book was prepared and issued under joint sponsorship of the Society of Cultural Relations of Japan, the Institute of Pacific Relations and the Hawaiian Commissioners of Education.

Superintendent Kersey called attention of local school authorities in California to the matter. As a result he has been asked to investigate special school courses in two California cities which, it is charged, may be used to similarly deceive the American students.

The Hawaiian book makes various statements as to the "Gentlemen's Agreement", its purpose and operation, including the claim that it authorized the entrance of 200 Japanese immigrants annually, which are criticized as at variance with the records. The Joint Committee's document offers also the following analysis of Chapter V of the book:

> In Chapter V, which purports to present a brief sketch of the policies, activities and international relations of Japan during the present century, the conquest of Manchuria, creation of the puppet state of Manchukuo, siege of Shanghai and occupation of various districts of Northern China are supposed to be sufficiently covered for the information of inquiring American students by the following paragraph:--"During the World War and afterwards Japan played a part in China utterly different than anything previously known. Japan entered actively into the internal affairs of that great and disorganized country, imposing the 21 demands in 1915, and beginning an economic penetration of the country by lending money and establishing factories." Korea, which was annexed in violation of treaty obligations, receives only two brief mentions, one in connection with the request for two new Army Divisions "to maintain order in Korea", and another in regard to "the cost of maintaining order in a hostile dependency such as Korea". Japan's action under the Nine Power Treaty is dismissed with the statement that "this treaty dealt with maintaining the territorial integrity of China and Open Door trade relations with China". The Chapter closes with the statement that "this brief survey . . . may serve to indicate the growing complexity of the problems of contemporary Japan and their international significance".

"may be widely available to American schools". Evidence of that policy has already been noted in certain California cities.

The California Joint Immigration Committee, when it learned that the promoters planned to introduce the book into schools of California and other states, called attention to the established facts as contrasted with the authors' version in certain important matters, suggesting that the showing justifies doubt as to the authors' reliability in other matters. The position of the Joint Committee is indicated in its statement, June 21st, as follows:

> None will criticize the claim made that knowledge on the part of each nation facing the Pacific of the character, conditions, and aspirations of other nations thereon is a necessary foundation for mutual understanding and the promotion of permanent peace on the Pacific. It is our contention, however, that textbooks used in the public schools and relied upon for such information should not be prepared by, or under direction of, foreign propagandists, even with the aid or approval of American interests, organizations or individuals; and further, that such books, no matter by whom prepared, should so present authenticated facts as to assist an intelligent reader in reaching fair conclusions.

Mr. Long, in a letter to the Joint Committee, July 21, 1935, quoted the paragraph above and said: "I am certain I can speak for the Commissioners of Public Instruction when I state that the above paragraph states the viewpoint of this department. * * * * To be effective, however, any instruction in this field must be entirely free from propaganda." The continued use of the text book in Hawaii throughout the year 1935 does not accord with the principle thus enunciated.

If the facts are as shown by documentary evidence, the interests of state and nation, the Joint Committee believes, forbid the use of this book in public school curricula. Nor should any necessary revision thereof or preparation of other similar text books be entrusted to agencies responsible for introduction of the present book, nor to the authors who, after disproof of the statements therein, reiterate conclusions and criticism which have no foundation save such misstatements. (See interview Helen Gay Pratt, New York Times, July 14, 1935.)

Hawaiian public opinion apparently supported the authorities of the Territory in the policy of continuing use of this book through 1935, notwithstanding protests and evidence submitted therewith and the absence of answer or denial. That may have been due to lack of knowledge of the facts or to racial conditions and influences which exist in the Territory. But, regardless of other agencies involved, responsibility for the situation created rests with Hawaii, her constituted authorities and her citizens. California and other states should not be expected to acquiesce, even tacitly, in policy and acts so manifestly injurious to the interests of state and nation.

I feel sure no issue will be raised between us on the points thus outlined in friendly spirit.

With personal regards,

Sincerely,

V. S. McClatchy, Exec. Secy.
California Joint Immigration Committee

VSM.FP
#445

CALIFORNIA JOINT IMMIGRATION COMMITTEE
85 Second Street
San Francisco, California.
GArfield 2697

(Copy)

March 14, 1936.

Commander Walter F. Lafrenz, U.S.N., Chairman,
Sub-section on Asia House, International Relations Section,
Commonwealth Club of California,
San Francisco, California.

Dear Sir:

It is noted that at the meeting of the Sub-section, February 19, Edward C. Carter, Secretary General, Institute of Pacific Relations, and Frederick F. Field, Secretary, American Council of the same organization , explained the plans of the Institute for introducing into 152 high schools of California and into the public schools of other states certain courses on Pacific Relations and Japanese Culture.

Because of the importance of the subject, there are offered herewith for information of the Sub-section, in the shape of documents and references, certain necessary details, which, it is inferred, the speakers did not cover. The plan is undertaken jointly under mutual understanding between the I.P.R. and the Society of International Cultural Relations of Japan, and assumes cooperation of educational authorities in the United States. In the Japan Times and Mail, January 1, 1936, Count Kabayama, Chairman of the Board of Directors of the Society named, explains Japan's desires in the matter, and stresses the importance of receiving favorable consideration therefor in our institutions of learning which he regards as the real centers of American culture.

The general plan of collaboration is indicated in an item in the December 4, 1934, issue of the Japan Times and Mail of Tokyo ("English language voice of the Foreign Office of Japan"), reproduced in C.J.I.C. Doc. #409 attached. It is covered more fully in report of a meeting of departmental heads of the Japanese Government held on November 21, 1934, as stated in a protest to the Hawaiian Commissioners of Education, December 11, 1934, (C.J.I.C. Doc. #414 attached).

A practical demonstration of what is intended to be taught American students under the plan is found in the text book on Japan which was in use, notwithstanding repeated protests, in certain public schools of Hawaii throughout the year 1935, and which was personally urged by its co-author for general use in public schools of the mainland. A general idea thereof may be had by reading the attached copy of a letter to the Editor of the Honolulu Star Bulletin, March 11, 1936, and C.J.I.C. Docs. #438 and #443. Copy of #438 was mailed recently to more than 200 members of the American Council, I.P.R..

Copy of the book itself, together with statements and exhibits explaining fully the charges made were deposited with Vierling Kersey, Superintendent of Public Instruction of California at Sacramento, on June 21, 1935, and January 15 and 31, 1936, and duplicates thereof are in the office of the Bay region Group, I.P.R. at San Francisco.

Respectfully,

California Joint Immigration Committee,

V. S. McClatchy, Exec. Secy.

VSM.FP
cc Members Sub-Section
cc Governos C.C.C.
#446

Exh. B

Mr. George M. Collins,
Chairman, School Commissioners,
2862 Kahawai St.,
Honolulu, T. H.

Honolulu, Oahu, T. H.
December 11, 1934.

(COPY)

Dear Mr. Collins:

We have been informed that the Departmental Conference of the Japanese Government on the 21st of November last, have approved number of important projects concerning the promotion of Japanization of the Japanese and the American public schools in Hawaii.

The following department heads were present:

1. Foreign Office
2. Education Department
3. Commerce Department
4. Cultural Bureau
5. Overseas Education Institution
6. Promotion of International Cultural Relations Society
7. Prince Fushimi, Chief of the Japanese Naval Supreme War Council; the Founder of Hawaii's Prince Fishimi Scholarship Assn., incorporated in 1924.

I wish to call your attention to two projects which directly concerns with Hawaii's public school and the Japanese Language Schools.

First: The Overseas Education Institution to publish education material concerning the vital national defense policy of Japan and to distribute the same to all Japanese schools in Hawaii and America.

Second: Supply (free of charge) all the public schools of Hawaii with reference books for teachers, reading material, portfolios containing Japanese pictorial and other graphic materials for schoolroom use and etc.

In connection with the free distribution of Japanese textbooks and etc., Mr. Okada, the head of the Cultural Bureau and former Consul General of Hawaii, stated "that all the necessary arrangements have been made with the Public Instruction, also with the various Religious and Social leaders in Hawaii".

Mr. Setsuechi Aoki, General Secretary of the Promotion of International Cultural Relations Society, said, "For several years the school heads of Hawaii and America with the aid of many more influential educators and missionaries made a thorough survey of American textbooks for the Japanese Society. The survey revealed that if proper propaganda is systematically carried out in the schools the American children will become strong friends of Japan".

Undoubtedly you are aware of the significance of such projects in Hawaii. We are very deeply touched and concerned with the action of the Public Instruction taking a hand aiding in spreading Japanese propaganda in Hawaii. We believe the result will be disastrous to Americanization of the American citizens of Japanese ancestry.

God knows they have enough contact with the things of Japan and the Yamato and Bushido Spirit in their homes and in the language schools. Why let the Japanese government promote Japanism even in the Public Schools?

We are writing this letter with the spirit of cooperation and Aloha and with the hope that you will call the attention of your fellow Commissioners.

Yours to serve

#414
C.J.I.C.

W. K. Lyhan
Confidential Representative of
The Sino-Korean People's League

Mr. Samuel J. Hume, Executive Secretary of the California Council on Oriental Relations, sent, under date of February 27, 1934, to members of the Council and to others, copy of a letter, February 6th from B. H. Kizer, Chairman of the Washington Council on Oriental Relations to the California Joint Immigration Committee. He failed to accompany it with a copy of the reply thereto of February 16th. The omission is remedied in the attached copy.

California Joint Immigration Committee

3-9-34

COPY

California Joint Immigration Committee
85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

February 10, 1934.

Mr. B. H. Kizer, Chairman,
Washington Council on Oriental Relations,
Spokane, Washington.

Dear Sir:

Referring to your letter of February 6th: You evidently resent on behalf of the Washington Council on Oriental Relations and its sponsor, the Spokane Chamber of Commerce, the tender by us of documents bearing on the proposed admission of Asiatic immigration under quota at request of Japan; and our suggestion that careful study thereof be made before committing the two organizations further in support of the quota cause. There is no occasion for that feeling.

We do not criticize the action of the Spokane Chamber some years ago in approving the quota plan, nor its recent action in organizing the Washington Council under urge of and representations made on behalf of the California Council on Oriental Relations.

Mr. Samuel Hume is a salaried advocate employed by the California Council for a specific purpose, and like other advocates generally, he selects his facts and dresses them so as to best serve the purpose. He is plausible and forceful in presentation, and is more or less successful in favorably impressing those not intimately familiar with the facts, and those who have forgotten what they learned ten years ago. He has been generally unsuccessful in securing approval before an unprejudiced jury in the face of competent opposition.

Organizations no less intelligent and no less earnest than the Washington Council on Oriental Relations and the Spokane Chamber of Commerce have endorsed Japanese quota in perfect good faith within the past few years, or have been favorably impressed by Mr. Hume's address. Many of them, with later opportunity for study of the facts, have withdrawn their support of quota and some have insisted that the exclusion measure should not be repealed or modified. In our letter to you of February 1st some of those organizations were mentioned. None of them has resented the proffer by us of documents which would give them important information not supplied by Mr. Hume.

You say Mr. Hume paid the members of the Spokane Chamber of Commerce the compliment of supposing they have average intelligence and moderate acquaintance with the subject. We have paid them the greater compliment of assuming that they are not only intelligent and moderately familiar with the subject, but that they are sincerely desirous of knowing all the truth that they may base thereon such decision and action as will best serve the interest of state and nation; and that they are not afraid of facing any fact, whether offered by ally or opponent, lest they be forced to recede from a decision already taken.

The California Joint Immigration Committee has represented for ten years past certain organizations in the interest of exclusion of aliens ineligible to citizenship. The committee presented the facts to Congress in 1924, and since passage of the law has been maintained as a source of information and to defend the law against attack. The committee welcomes criticism and suggestion; and it has carefully sifted and promptly answered any statement of facts or argument offered in support of an opening of the gates to Asiatics.

Unless proof is offered to the contrary, this committee will assume that the Spokane Chamber of Commerce is equally desirous of knowing the truth; and that it will give careful consideration to statements, supported by references and records, offered on behalf of responsible state and national organizations, showing that the Chamber has been misinformed in the matter under consideration.

Respectfully,

California Joint Immigration Committee

V. S. McClatchy, Exec. Secy.

James K. Fisk, Chairman

#389

California Joint Immigration Committee
85 SECOND STREET
PHONE GARFIELD 2697
San Francisco, Cal.

JAPANESE IMMIGRATION - QUOTA OR EXCLUSION

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The California Joint Immigration Committee answers the two leading Proponents of Quota

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The following statement answers seriatim the 15 points of a recent argument in favor of opening the immigration gates under quota to Asiatics, sponsored jointly by the San Francisco Chamber of Commerce and the California Council on Oriental Relations. This answer is made on behalf of the California Joint Immigration Committee, representing the California Department American Legion, State Federation of Labor and the Native Sons of the Golden West.

The references, "A", "B", "C", etc., indicate authorities and documents, listed on the last page hereof, which furnish corroboration and further explanation of averments herein.

Each point made in behalf of quota by its sponsors is quoted below, either verbatim or briefed, followed by the answer thereto, with references.

\- - -

No. 1. EXCLUSION OR RESTRICTION?

Argument---"The rigid restriction of Asiatics is of vital importance to the best interests of California."

Answer---Not "rigid restriction", but "absolute exclusion" of Asiatics in the future is vital to California. The Gentlemen's Agreement, announced as a plan for rigid restriction of Japanese immigration, was to be carried out by Japanese good faith instead of enforced by United States law. As negotiated, it was to cover only immigration to continental United States, but Japan voluntarily agreed it should apply also to Hawaii. Today over one-third of Hawaii's total population is Japanese; over two-thirds is Asiatic. Hawaii, a United States Territory, is lost to the white race. Note later in this statement how the Gentlemen's Agreement has failed to accomplish its agreed purpose in continental United States. The only "rigid restriction" of Asiatic immigration which would be effective under all possible future conditions is absolute exclusion for permanent settlers. (See "A", pp. 3 to 51; "J").

No. 2. EXCLUDE POLITELY!

Argument---"Exclusion legislation should conform with recognized principles of international courtesy, making for mutual understanding, etc."

Answer---Efforts had been made continuously for nearly 20 years to secure Japanese exclusion under friendly arrangement with Japan. The Gentlemen's Agreement of 1907, which made Japan responsible for accomplishment of the purpose, was violated in that, while under it Japanese population in continental United States was not to increase, and Japanese laborers were to be absolutely barred (see "A", p. 12 to 18; "D" p.411 to p. 414; "H", p. 104), such population trebled between 1907 and 1920. The report of the Secretary of Labor for 1923, p. 133, states that net gain in Japanese immigration over emigration in continental United States, excluding non-immigration elements, for the period 1908 - 1923, was 83,992. The greater portion thereof consisted of adult Japanese aliens nearly all of whom were laborers, being even listed on the manifests as such, and they continuously earned their living in California and elsewhere by labor. The records of the Immigration Bureau show that during the period named, 56,980 Japanese, classed officially as laboring men, entered. Only a small portion thereof entered under the provision which permitted laborers who had acquired residence in the United States prior to July, 1908, to visit Japan and return. (See "C", p. 316, footnote #14).

After 1917, Japan was the only Asiatic country (except the Philippines) which continued to send us unassimilable immigrants, exclusion from all other countries of Asia, whose nationals are ineligible, being enforced by special laws. President Theodore Roosevelt had an express understanding with Japan that if she failed to secure the results called for by the Gentlemen's Agreement the United States would enact a special Japanese exclusion law, similar to that which excludes Chinese. (See "A", p. 13, 14; "D"; and "H".) Instead of enforcing that understanding, Congress sought in 1924 to find a plan that would not thus hurt Japan's pride. Japan and her friends insisted on either a new agreement, a treaty, or a quota allowance. Each of such plans called either for surrender of national sovereignty, or sacrifice of Congressional control of immigration, or abandonment of the principle of exclusion of ineligible Asiatic immigration, or a combination of two or all three thereof. (See "A", p. 28; "C", p. 314-316.) The plan adopted, general exclusion of all ineligibles, was the only one suggested that met the requirements of the case.

No. 3. IS THE ACT DISCRIMINATORY?

Argument---"The 1924 immigration act is discriminatory and casts a needless stigma on Asiatic peoples."

Answer---It is not discriminatory against Japan, certainly, because it bars as immigrants all aliens ineligible to citizenship, in which category is included half the population of the world, the Japanese constituting only 7% of such half. It is admitted that Japanese are mentally, morally and physically the equal of Caucasians, but racial differences and racial pride, and social conditions and ineligibility to citizenship make them hopelessly unassimilable. Even the second generation as demonstrated in California and even Hawaii, notwithstanding individual merit, form a separate, unassimilated racial group. Exclusion of ineligibles casts no reflection on the mental, moral and physical fitness of those excluded. They are excluded because their unassimilability makes them a danger to the political health of the nation, as immigrants deficient physically would offer danger to the physical health of its citizens. In neither case can the exclusion be considered discriminatory. (See "B", p. 1 to 4; "H", p. 42 to 46; "J": "C", p. 311, 312.)

No. 4. NATURALIZATION AND LAND LAWS.

Argument---"Quota, if extended to Asiatics, affects neither our naturalization laws nor our alien land laws."

Answer---Quota for Asiatics would defeat the intent of the naturalization law because it would encourage making citizens, thru birth on the soil, of units not racially fitted for such citizenship. It would affect the intent of the alien land law by granting land ownership to those who, notwithstanding citizenship by birth, are not assimilable into American citizenry. (See No. 3 Answer.) The present law is a logical and necessary corollary of the 150 year old naturalization law.

No. 5. ONLY 185 JAPANESE!

Argument---"Under quota only 185 Japanese and 105 Chinese would be admitted annually."

Answer---The actual number of Japanese or Chinese who could be admitted annually under grant of quota under the present law and conditions is not the vital point involved. If that number were only 5 it would still be necessary to repeal the 1924 exclusion law and abandon thereby its basic principle. However, the Japanese would be but a fraction of the number of ineligible Asiatics whom we would have to admit, since we could not well grant to the Japanese a privilege denied to other Asiatics, equally friendly. And even that large number of unassimilable entrants would be swelled greatly by minor changes in the law. For instance, if Asiatics enjoyed the quota, the plan of allotment in force from 1924 to 1928, the retention of which was advocated by President Hoover, would admit 2,000 Chinese per year. Under special non-quota allowance many Japanese could be admitted. If Japanese were granted the right of immigration, Japan would perhaps demand in time the right to send in as many immigrants as any other first class power. Such a demand would be strictly in line with others she is now making. (See "C", p. 319-320; and "E").

No. 6. WHY NOT ALSO FOR ASIA?

Argument---"Quota has for 9 years effectively and satisfactorily restricted European immigration. Quota is the right way to do the right thing."

Answer---Even if it be assumed that quota has satisfactorily restricted immigration of those who are eligible to American citizenship, and therefore assimilable (it was reinforced during the past three years by the order of President Hoover instructing American Consuls to refuse quota visas) that offers no logical argument, and certainly no proof, that the conceded danger of admitting unassimilable immigration would disappear if such immigration came in under quota.

No. 7. QUOTA AND LABORERS

Argument---"No laborers of any kind would be admitted under quota, since U. S. Consuls in Japan and China would refuse Consular visa to anyone * * * likely in any way to compete with American labor."

Answer---That is a mistake. Quota, if granted to Asiatics, would admit Asiatics under precisely the same terms as Europeans; and European laborers are not barred by the law. In this argument the quota proponents doubtless have in mind the executive order of President Hoover, authorizing U. S. Consuls to refuse the Consular visa and thus cut down quota from any country to say 10% of the allowance. That order, while undoubtedly beneficial in result, was really an invasion by the Executive of the Congressional prerogative to control immigration. President Hoover himself recognized that fact in time, and a year before his retirement called attention of Congress thereto, suggesting that his order be replaced by Congressional legislation to accomplish the same purpose. In any event, such an order could not be used in discrimination against Asiatics.

No. 8. QUOTA CANNOT DECREASE ENTRANTS.

Argument---"Under quota it is believed fewer Orientals would enter the United States than do now under the 1924 law."

Answer---That is an unfounded and illogical contention. With the same laws and conditions in force as now, the number of Orientals who would secure admission, if quota were granted, would be increased over the present number by exactly the number admitted under quota. With the exception of ministers and professors and their families, no such Asiatics come in legally now, save for temporary residence as merchants, students or visitors. Those who come in illegally enter because Congress and the Administration fail to provide adequate means for enforcing the law. Such illegal entrants will not be diminished in number by grant of quota.

No. 9. ASIATIC QUOTA FOR WHITES?

Argument---"These negligible quotas, 185 and 105, would in great part be filled by members of the white race * * * * no laborers would be admitted."

Answer---Both statements are inaccurate. Japan would use her entire quota, naturally, for her own nationals, and so would China. Any attempt by our Consular agents to force either nation to use her quota for resident aliens of the white race would cause international trouble. As for laborers, see answer to No. 7.

No. 10. QUOTA IN THE BARRED ZONE

Argument---"Quota extended to countries in the barred zone area would mean a minimum courtesy quota of 100 only to a few obscure countries, * * * open to members of the white race and to natives of the business and professional classes only."

Answer---That is a mistake. There is a present "courtesy quota" of 100 for the countries referred to, which can be used, not for their own nationals, but only for aliens resident in such countries and eligible to American citizenship, who do not find it convenient or practical to enter under quota of their native land. Formal quota, if granted to Asiatics under the proposed plan, would guarantee them the same rights in immigration as are conceded to the nationals of any European

country. Nothing less would satisfy Japan, even for the time being. (See answers to No. 7 and No. 9, above.)

No. 11. STATISTICS vs FACTS.

Argument---"In the last 9 years 20,000 more Japanese have departed from the United States than have arrived. (Report of United States Commissioner of Immigration.)"

Answer---The Report of the Secretary of Labor for 1923, p. 133, declares that between 1908 and 1923 Japanese total immigration into continental United States was 125,773, and emigration 41,781, a net gain of 83,992, during the period when the Gentlemen's Agreement guaranteed practical exclusion of Japanese immigration. (See "B", p. 9.) Regardless of feats of legerdemain that may be done with statistics of legal arrivals and departures, (usually by adding "non-immigration" figures) the Japanese population of continental United States, and particularly California, has not decreased in the past 9 years, while such population in Hawaii has materially increased. Illegal entry may have had something to do therewith. The number of Japanese now in this country has no necessary connection with the question, "Shall we formally open the immigration gates to ineligible Asiatics, now excluded under the law?"

No. 12. PERCENTAGES vs PRINCIPLES.

Argument---"The Japanese in California represent 1.% of the total population. They are constantly decreasing in proportion to the total population of the state."

Answer---The Japanese in California decrease in proportion because the white population of the state increases very rapidly. The Japanese do not decrease in number. They congregate in certain counties, where they gradually secure more or less dominance. In Hawaii the ascendency secured by the Asiatic population has discouraged any material increase of Caucasian population there. Hawaii may serve at least as a warning.

No. 13. BASIC ISSUES INVOLVED?

Argument---"This is only a question of good manners. No basic issue is at stake. Grant of quota sacrifices no material interest and would remove the only source of friction to mar peaceful relations."

Answer---There is a basic issue at stake. Shall we abandon the basic principle of exclusion of aliens who are ineligible to American citizenship, and in consequence unassimilable, and whose children, citizens by birth, have proved also unassimilable, a separate, undigested racial group? We certainly sacrifice a material interest if by repeal of the exclusion act we abandon the only plan suggested which will prevent an inflow of the unassimilable Asiatic races under all possible future conditions.

And even in abandoning that safeguard we would not insure good will because the concession would only invite early demand for Japan's ultimate announced goal, "racial equality", the same rights in all matters for her nationals as are conceded to Europeans. (See "B", p. 23 & following; "C", p. 315,316.) It would in no case change Japan's already inaugurated plans for excluding the United States and other nations from trade with Asia and for invading such nations and supplanting their domestic trade with her own goods produced with modern machinery and a labor cost one third to one quarter that even of England. (See "G").

No. 14. AMERICANS SHOULD DECIDE.

Argument---"This is a question for Americans to decide without dictation from any other power."

Answer---True. But Japan seeks to dictate to us in this matter, and the urge in her behalf from various American groups, religious, commercial and other, for 18 years past has been made at the suggestion of Japan and under covert threats of ill will and loss of trade if we fail to make the concession. (See "J".)

Yes, it is a question for Americans to decide; but for such Americans as hold that national welfare should guide their decision, rather than the demands of foreign powers or the interests of groups, sections or cults in our own country.

No. 15. YIELD: AND SET A GOOD EXAMPLE!

Argument---"We can well afford to set an example in this matter by maintaining justice and courtesy for all."

Answer---That is the plea which has been made for many years whenever the United States was called upon by foreign nations, or by selfish American interests to sacrifice itself at the demand or for the benefit of others. We scrapped our Navy; we paid the war expenses of Europe, and now are asked to pay for the outlay she has made since the war in monstrous new war preparations; we have accepted for permanent settlement and citizenship during the past 30 years many undesirable elements of European immigration; we opened the gates wide to the entrance of two million unassimilable Mexican peons at the demand of employers of cheap labor, and as a "friendly gesture to a neighbor".

We have by such suicidal policy contributed to unemployment in the United States times greater than exists in any country we have thus mistakenly befriended. We have apparently earned in addition their contemptuous regard as a weakling. We have made thereby immeasurably greater the task which President Franklin D. Roosevelt faces at home and abroad. And now we are asked to open our gates to Asiatic immigration to avoid the displeasure of Japan.

Japan very wisely excludes Chinese immigration under Imperial Ordinance No. 352, though in 1924 China made her seventh protest thereat, calling attention to Japan's inconsistency in enforcing such exclusion while demanding entrance for Japanese immigration into the United States.* Let us act in immigration and in all other matters with the same scrupulous care for the national welfare as do other nations.

*(See "B", p. 35.)

California Joint Immigration Committee,

V. S. McClatchy, Executive Secretary.

San Francisco, California,
November 13, 1933.
#348

REFERENCES

"A" - "Japanese Immigration Legislation". Hearing before Senate Immigration Committee on S. 2576 - 68th Congress, First Session, March, 1924.

"B" - "Japanese Exclusion - A Study of the Policy and the Law". J. B. Trevor, House Document #600, 68th Congress, Second Session.

"C" - "Quota or Exclusion for Japanese Immigrants?" Report of a year's study by the Commonwealth Club of California, December 20, 1932.

"D" - Autobiography of Theodore Roosevelt, p. 411 to 414.

"E" - "What! Only 185 Japanese to Insure Peace on the Pacific?" - V. S. McClatchy San Francisco Examiner, August 19, 1933. C.J.I.C. Document #327.

"F" - "Genesis of Japan's Movement for Quota." V. S. McClatchy, San Francisco Examiner, August 26, 1933. C.J.I.C. Document #329.

"G" - "Trade Follows the Flag - Home." Upton Close, Saturday Evening Post, October 21, 1933.

"H" - "Japanese Immigration and Colonization." V. S. McClatchy. Brief presented to the Department of State, 1921.

"J" - "Quota for Japan", C.J.I.C. Document #270.

"K" - "The Japanese Problem in California" C.J.I.C. Document #246.