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DEPT. ADJ. AMERICAN LEGION
(CHAIRMAN)

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(TREASURER)

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STATE ATTORNEY GENERAL

V. S. McCLATCHY
(EXECUTIVE SECRETARY)

Released

THE 1924 CONGRESS AND EXCLUSION

Statement has been made by those advocating immigration quota for Japan that the action of the 1924 Congress in excluding all aliens ineligible to American citizenship as a means for putting a stop to Japanese immigration, then coming in under the Gentlemen's Agreement, was a hasty, ill-considered piece of legislation, precipitated in resentment at the use, in Ambassador Hanihara's letter of protest, of the words "grave consequences".

The facts clearly disprove that claim. For ten years the admission of Japanese immigration had been urged thru a campaign conducted by the Federal Council of the Churches of Christ in America. Between 1919 and 1924 a number of hearings were held by the two Immigration Committees of Congress on bills in connection with the subject. At the session of 1924, before the Hanihara letter appeared, an overwhelming majority for exclusion of all "ineligibles" was generally conceded in the House, and was established in the Senate by a personal poll conducted by Senator Pat Harrison and ex-Senator J. D. Phelan.

The Hanihara letter, dated April 6, 1924, was replied to by Secretary Hughes on April 10th, was sent probably on that day to the Chairmen of the two Immigration Committees, and was published in the Congressional Record of April 11th. Evidently the phrase "grave consequences" was not noticed until the 14th, when Senator Lodge called attention thereto, and the Senate subsequently took action approving exclusion by almost unanimous vote.

Meanwhile, the House, on April 12th, the day following publication of the Hanihara letter, and evidently before the objectionable phrase had been called to its attention, passed the exclusion measure by the anticipated majority, the vote being 323 to 73. If that vote had been taken a few days later it would undoubtedly have been practically unanimous for exclusion.

Publication has been made recently of a letter from Senator D. A. Reed to the Manager of the United States Chamber of Commerce, stating that, in his belief, "Japanese exclusion would not have been put into the 1924 act if it had not been for the Hanihara letter, altho I believe that other Orientals from the barred zone would have been continued to be barred as theretofore." Senator Reed claims that the sentiment of the Senate for and against Japanese exclusion was indicated two days before the receipt of the Hanihara letter by a rising vote under which an attempt to prevent the entrance of Japanese students was defeated. He assumes therefore that all those who favored the entrance of such students were opposed to the exclusion feature of the bill. The facts indicate just the contrary. The leaders of the movement for exclusion, and the state and national organizations which demanded it, were not only not antagonistic to the entrance of Japanese students, but had endorsed the provision of the bill, usual in exclusion measures excepting students and others from operation of the law.

California Joint Immigration Committee

V. S. McClatchy, Executive Secretary

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The Commonwealth—Part Two

VOL. VIII SAN FRANCISCO, DECEMBER 20, 1932 No. 51

TRANSACTIONS OF THE
Commonwealth Club of California
Volume XXVII **Number 7**

QUOTA OR EXCLUSION FOR JAPANESE IMMIGRANTS?

IMMIGRATION of aliens to the shores of America has been the subject of unremitting study by the Commonwealth Club of California ever since April 13, 1913, shortly before the opening of the Panama Canal, when it held its first immigration dinner discussion.

At that meeting President Beverly L. Hodghead observed:

"This Club is not concerned in any project of promotion or colonization, but it is interested in the social and industrial questions that may arise, or be intensified at least, by the introduction here of a body of aliens attracted by this shorter and cheaper passage to the Pacific Slope (The Panama Canal)."

However, by 1920 the Club group studying immigration had already turned its face westward, for on July 15th of that year the Immigration Section presented a discussion and report in which it stated that:

"Owing to the serious aspect suddenly assumed by the Japanese phase of the subject (of immigration) we felt impelled to direct special attention to it with the result that the Section by a majority vote places itself on record as supporting Governor Stephens in the stand he has taken (favoring) the proposed Alien Land Law."

In November of that year the Club by a post card vote of 1020 "yes"; 513 "no"; went on record favoring permanent exclusion of Asiatic labor.

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Subsequently, under the devoted leadership of the late Frederick T. Duhring, the Immigration Section met regularly for the next decade and presented to the Club membership the following important studies:

Immigration and Population (1922)
Immigration Restriction (1923)
Mexican Immigration (1926)
The Immigration Quota Law (1927)
Filipino Immigration (1929)

During the past twelve months, under the enthusiastic chairmanship of Paul Stinchfield, the Section completed a very careful and thorough study of all possible arguments both for and against granting a quota for Japanese immigrants; a group which had, in common with the Chinese and other Asiatic races, been refused a quota when Congress enacted the Immigration Quota Law of 1924. This second study of oriental labor issues had its origin in the fact that in certain quarters a demand has recently been made that we admit Japanese laborers on the same basis as European laborers, a proposal which some maintain would, others maintain would not, inevitably include the other barred Asiatic peoples.

The results of this study by the Immigration Section were laid before the Club membership for their consideration at a dinner meeting held in the Tapestry Room of the Elks Club Building, San Francisco, on November 17, 1932.

A condensed record of this meeting forms the material for this present issue of Part II of The Commonwealth.

As it has already been determined that every member of the Club will be asked to vote on the issues involved in this discussion through the medium of a post card vote, it is urged that each member read the report carefully.

Report of the Chairman, Section on Immigration*

By
Paul Stinchfield
Chairman, Immigration Section

PRESIDENT JOHNSTON: Our Section on Immigration has devoted much of its time during the past year to a study of Japanese immigration, paying particular attention to the question of quota.

Paul Stinchfield, chairman of the Section, will present his report on this subject. Samuel J. Hume, executive secretary of the California Council on Oriental Relations, will argue for a Japanese quota. He will be opposed by V. S. McClatchy, executive secretary of the California Joint Immigration Committee.

SHOULD Japanese and other Asiatic peoples be admitted to the United States under the Quota Law? This question has been the subject of consideration in the Immigration Section during more than a year of semi-monthly meetings.

In selecting leaders to address us during this period, special effort has been made to secure a cross-section of all major groups: foremost clergymen, social welfare workers, college professors; individuals representative of capital, labor, agriculture and military, as well as of business and politics, have shared with us a wealth of facts, experiences, and mature judgments.

Postcard vote taken of Immigration Section

Knowing that the traditional attitude of California and the Pacific Coast has been against admitting Asiatics to our nation, the Section arranged to have speakers who favor granting Asiatics an immigration quota comprise two-thirds of the total number who addressed the

* Members who attended one or more meetings during the Immigration Section's study include:

Paul Stinchfield, Chairman
Paul Armstrong, Vice-Chairman
J. C. Russell, Secretary
Frank Adams
Thomas D. Aitken
Wallace M. Alexander
W. J. Arnette
Allen C. Blaisdell
Gurdon Bradley
Maj. Jose Perez Brown
Frank R. Buckalew
Guy C. Calden
E. P. Dennett
S. C. Esmond
Robert H. Fouke
Harry Geballe
C. M. Goethe
M. A. Goldstone
Emil Greenebaum
Jos. C. Gyle
Glenn E. Hoover
E. Clemens Horst
Gerrard T. January
W. L. Johnstone
Tracy R. Kelley
Saburo Kido
V. A. Kimberley
Harry L. Kingman
Theodore John Kreps
Francis Krull
Col. Edw. Landon
C. B. Lastreto
Albert Lyser
J. Rupert Mason
V. S. McClatchy
E. C. McKeage
Eliot G. Mears
M. E. Mitchell
William L. Montgomery
J. A. Morgan
A. H. O'Connor
Comdr. T. D. Parker
A. T. Parsons
Edw. L. Parsons
William L. Peet
Richard R. Perkins
J. C. Perry
Leslie H. Peter
Kaspar Pischel
Julian P. Randolph
F. H. Redewill
Howard C. Rowley
A. M. Sargent
Paul Scharrenberg
Kent J. C. Seymour
W. Clyde Smith
Sven Erick Soderblom
Edward K. Strong, Jr.
Frank T. Swett
A. H. Taylor
M. A. Taylor
Godfred Thuesen
Kaname Wakasugi
Stuart R. Ward
U. S. Webb
S. C. Wiel
C. L. Wrightson

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Section. We were determined to break down any possible opinion based merely upon prejudice and instead formulate mature conclusions founded on careful study of the many factors involved.

A post card vote of the entire Section taken at the conclusion of our deliberations showed the following results:

	Yes	No
1. Do you favor granting an immigration quota to Japan?	28	29
2. Do you favor granting an immigration quota to Japan exclusive of other Asiatic countries?	5	46
3. Do you favor granting an immigration quota to all Asiatic countries?	23	32
4. Do you favor the repeal of the Naturalization law which now disqualifies certain races from United States citizenship?	13	37

Gentleman's Agreement entered into

Let us review the historical background of the question. We find that in 1790 the first naturalization law restricted citizenship in the United States to the white race. After the Civil War this fundamental policy of the founders was modified to grant citizenship to members of the black race born in the United States. Generally speaking, throughout American history, the brown and yellow races have never been eligible to citizenship.

Chinese, the first Asiatics to come to the United States in any considerable number, came principally to the Pacific Coast. After many years of agitation the Chinese Exclusion Act was passed in 1882.

Japanese laborers began to emigrate to the United States about 1890. This migration reached considerable proportions between 1900 and 1908, when the secret Gentlemen's Agreement, negotiated by President Roosevelt in 1907, went into effect. The purpose of this agreement, as stated by President Roosevelt, was to prevent the increase of Japanese population in continental United States.

Reasons for opposition to Asiatic immigration given

Hindus, having commenced to enter the United States in numbers, were next excluded under the so-called "Barred Zone" provision of the 1917 immigration act, an act which virtually excluded all Asiatics ineligible to citizenship.

The 1924 Immigration Law, intended to replace all these provisions, accomplished the same purpose by excluding all aliens who are, under our *naturalization law*, ineligible to citizenship.

The two major reasons for this opposition to Asiatic immigration seem to have been:

The Commonwealth Club of California has a well earned reputation for conducting, thru its many working Sections, intelligent and unprejudiced investigation of current questions of moment and giving the public the benefit of its findings. For a year the Immigration Section devoted its semi-monthly meetings to listening to speakers and discussing views presented concerning the grant of immigration quota to Japan. "The Commonwealth" of December 20th contained a comprehensive final report as to the Section's work in this regard, and full text of a debate between Samuel H. Hume, representing the California Council on Oriental Relations, speaking in behalf of quota, and V. S. McClatchy, Executive Secretary of the California Joint Immigration Committee, speaking in opposition. Copies of the publication were mailed to each member of the Club with request for careful study thereof prior to responding to a questionnaire on several phases of the problem. The result of that vote was as follows:

	Yes	No
1. Do you favor granting an immigration quota to Japan?	364	715
2. Do you favor granting an immigration quota to Japan exclusive of other Asiatic countries?	81	969
3. Do you favor granting an immigration quota to all Asiatic countries?	279	763
4. Do you favor the repeal of the Naturalization law which now disqualifies certain races from United States citizenship?	194	875

Information in regard to the law excluding aliens ineligible to citizenship may be had from the

California Joint Immigration Committee
85 Second Street, San Francisco, Cal.

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The two major reasons for this opposition to Asiatic immigration seem to have been:

1. Absolute inability of American labor to compete with the low living standards of Asiatic labor.
2. The unassimilability of the Asiatic peoples, due to racial and cultural differences.

We find that the commercial groups represented by the Chambers of Commerce, the religious groups led by the Federal Council of Churches of Christ in America, and the internationally minded intelligentsia are leading the movement to give immigration quotas to Asiatics.

It is claimed by these groups that the granting of a quota is necessary to international friendship. On the other hand it is pointed out that such a grant would at most mean only a temporary advantage to these groups, yet would establish a precedent which would lead to further and more serious complications, besides sacrificing our future national welfare and unity.

Figures quoted on trade with Orient

The commercial interests favoring a quota claim a loss of trade with Japan and the Orient due to resentment of our immigration laws. However, President Hoover in his address to Californians delivered November 3, 1932, stated that "exports to Japan increased from $146,000,000 in the fiscal year 1931 to $240,000,000 in the fiscal year 1932". He added, "Even this is not the whole story, for if we were to analyze the effect of the decrease in world prices we would find on a quantity basis that our Oriental trade is even larger than is shown by dollar valuation."*

The laws of California forbid marriage between Asiatics and whites. American citizens of the Japanese race may not bring into this country a wife who is a citizen of a country whose nationals are ineligible to citizenship. Because of the scarcity of Japanese women in the United States American citizens of the Japanese race are greatly handicapped in establishing families.

Americans of Japanese descent at disadvantage

We also find that because of cultural differences and racial prejudices American citizens of the Japanese race are placed at great disadvantage. After school age, due to these differences and prejudices, Japanese, although American born, are forced to confine themselves

* See also Report of Foreign Trade Department, U. S. Chamber of Commerce, for six months ending June 30, 1931.

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largely to social contacts with their own race. Thus they develop foreign colonies which lead to friction and misunderstanding. We believe that such conditions are not desirable in our country. We believe that it would be equally undesirable for large colonies of *Americans* to settle in Japan for permanent residence. Such conditions develop a social problem incompatible with the democratic ideals of America."*

Those opposed to a quota believe that it should not be granted to the Asiatics unless we are ready to abandon our traditional and fundamental policy of limiting citizenship to "Free Whites." This policy was written into the naturalization law of 1790 and has been maintained with one exception, that of the negro, for more than a century.

Assimilability question raised by quota opponents

Those opposed to a quota for Japanese immigrants declare that the permanent residence of races and nationals who are considered sufficiently unassimilable to be refused citizenship does not lead to desirable results; that the granting of a quota to those ineligible to citizenship would break down the only non-discriminatory basis of restriction.

Although the Section has not made a special study of this question of extending citizenship to those *now* "ineligible to citizenship", it has continually considered this question during the last decade as a necessary part of its studies of the various problems relating to immigration.

In this regard it is of interest to note that only twenty-six percent of those Section members voting on this proposition voted in favor of extension of citizenship to Asiatics. Seventy-four percent voted against such extension of citizenship.

No question of race inferiority involved

All members of the Section—those convinced that a quota is unwise, as well as those arguing in favor of a quota—agreed that the Japanese are in many respects a superior people, and that every possible and proper effort should be made at all times to promote international friendship and good will among all peoples. In fact, our discussions were not infrequently punctuated by comments, made by both groups in our Section, which were decidedly laudatory to

* See "Japanese in the United States," by Yamato Ichihashi.

the ancient and widely recognized culture of the Asiatic people. Nevertheless, Section opinion was sharply divided as to the wisdom of establishing a far reaching precedent by placing Japanese and other Asiatic immigrants under a quota.

All opposition heard to Asiatic immigration has been based, not on prejudice or lack of international sympathy, but on ineradicable racial and cultural differences; the impossibility of our laborers competing with low Asiatic living standards; and the conviction that the best interest of both races involved will not be conserved by any considerable permanent settlement of either race in the other's country.

Temporary residence of educators, etc., favored

On the other hand, a unanimity of opinion favors temporary residence in this country of Japanese educators, ministers of religion, business, and diplomatic representatives on the grounds that this will enhance mutual friendship, understanding, and international good will.

In fact, as one of our Section members who favors a Japanese quota has written:

"It seems to be the unanimous opinion of the Section on Immigration of the Commonwealth Club that—

1. American labor must be protected against the influx of foreign labor, and in particular of Asiatic labor, because of its cheap living standard.
2. Asiatics and Americans are unassimilable, due to racial differences.
3. Japan has taken offense at America's denial to her of any quota.
4. Every effort should be made to work out some plan that should be satisfactory to Japan but without prejudice to sound American principles.
5. It should always be our purpose to maintain the friendliest relations with all countries. We should never court justifiable resentment or unfriendliness."

* * *

Arguments favoring quota presented by sub-committee

A sub-committee of the Section which favors granting an immigration quota to the Asiatics has summarized the arguments favoring a quota, as presented to the Section, in the following propositions:

1. The Act of 1924 restricting immigration to those persons eligible to naturalization in the United States was aimed directly at the Japanese, since all other Asiatics had been barred by the Chinese Exclusion Act and the Barred Zone Act, both of which remained in force.

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2. The 1924 Act was hastily passed due largely to the veiled threat contained in the note of the Japanese ambassador. Prejudice and hot temper should not govern our attitude in international affairs.

Belief voiced in need for restriction

3. We believe fundamentally in the necessity for rigid restriction of immigration. However, a quota for Japan means only the admission of selected immigrants up to a maximum of 185 per year.

4. A quota for Japan would not open the door to widespread immigration. It would simply place a sister nation on the same basis as other nations, giving us the right to control the character of that immigration as we now exercise that right through our consular officers in other countries and through our immigration officers in this country.

5. Granting the quota to Japan might also include placing other Asiatic nations under the same restrictions—which means the absolute control over the character of immigration, and thus bar laborers.

6. A portion of the quotas which might be allowed from Japan and other Oriental countries would be filled by white persons born in those countries.

Laborers the prime object of restriction

7. All legislation dealing with Oriental immigration was primarily designed to restrict the importation of Asiatic laborers. The object of rigid restriction would be best accomplished by a quota provision.

8. It should be our purpose to maintain friendly relations with all nations, rather than court resentment and unfriendliness. Placing Japan on a quota basis would improve friendly relations between these two great nations and, incidentally, would be of advantage to our commerce.

9. A quota for Japan would serve as a better means of controlling immigration from that country than any other method, as we could then depend upon the cooperation of the Japanese Government.

Denial of quota resented by Japanese

10. The denial to Japan of a quota is resented by all classes of Japanese and by many Americans as unnecessary, unjust and cruel.

It seems an attempt to fix a stigma upon a proud and enlightened race and nation.

11. Questions of race impurity, unassimilability, birth rates, cultural differences and economic competition are not involved, since the extreme limit of 185 immigrants per year could not affect our present population of 182 millions, of whom 12 millions are of other than the white race.

12. Allowance of such immigration quota does not involve questions of naturalization or land tenure, nor can it properly be construed as abandonment by the United States of any of its principles. The question is merely one of policy and fair play.

* * *

Sub-committee presents arguments opposing quota

Likewise a subcommittee of the Section *which opposes* granting an immigration quota to the Asiatics has summarized the arguments *opposing such a quota,* as presented to the Section, as follows:

1. That it is not prejudice, but obvious and clear-cut racial, religious, economic, political, and cultural differences which make ineligible Asiatics unassimilable.

2. That experence has demonstrated the wisdom of the founders of this nation in restricting citizenship to white people; excluding colored races on the ground that differences in race and culture make such races unassimilable.

Immigration declared to be domestic problem

3. That immigration is obviously a domestic problem and must be settled by each nation for itself.

4. That the ineligible Asiatic exclusion provision was not ill-advised or hastily drawn, for the Quota Law was adopted by Congress in response to an insistent nation-wide demand, and after years of careful research, as the only one of five suggested plans, including quota, found adequate to meet existing exigencies (created in part by the Fourteenth Amendment which grants citizenship to children born on the soil to parents ineligible to citizenship).

5. That the promotors of the Act of 1924* were not motivated by a desire to discriminate against any people, and that the law is not discriminatory in its language. Any possible errors can easily

* Subdivision C, Section 13, of the Act of 1924.

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4. That the ineligible Asiatic exclusion provision was not ill-advised or hastily drawn, for the Quota Law was adopted by Congress in response to an insistent nation-wide demand, and after years of careful research, as the only one of five suggested plans, including quota, found adequate to meet existing exigencies (created in part by the Fourteenth Amendment which grants citizenship to children born on the soil to parents ineligible to citizenship).

5. That the promotors of the Act of 1924* were not motivated by a desire to discriminate against any people, and that the law is not discriminatory in its language. Any possible errors can easily

* Subdivision C, Section 13, of the Act of 1924.

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be corrected without surrendering the admittedly sound principle involved.

Present law held only logical plan

6. That the 1924 provision, which excludes as permanent residents Asiatics ineligible to citizenship is the only logical and non-discriminatory plan suggested to prevent the peaceful invasion of unassimilable races under any and all future conditions.

7. That trade relations with Japan are already definitely encouraged by the present law which, while excluding laborers, admits Japanese legitimately interested in trade, religion, and education; as well as all Asiatics eligible to citizenship.

8. That we have no assurance whatever that granting Japan a quota will do any of the things quota advocates claim it will do, for we can gain no tangible guarantee either of good will or that an increase in trade will result. On the other hand, there is much evidence to the contrary, and in addition we are certain to saddle upon ourselves the burden of increased domestic problems resulting from an attempt to assimilate Asiatics into a white population.

Low Asiatic living standards cited

9. That until such time as Japanese laborers' living standards approximate ours, we are compelled to reserve the right to protect our own people against Asiatic standards of living. Nothing but future embarrassment, more serious misunderstanding, and "loss of face" will result from making this proposed gesture of a small quota. Japanese statesmen will certainly interpret it a pledge for all time to admit unassimilable Asiatics on any and all bases we may adopt for European laborers. Such a pledge we certainly cannot afford to give.

10. That the concerted opposition against admitting unassimilable Asiatics on the part of states and leading national and state organizations, indicates their conviction that any weakening whatever of our defenses against a peaceful Asiatic invasion threatens our national welfare.

Quota wouldn't satisfy Japan: belief

11. That granting Japan a small quota today will by no means satisfy her, for the avowed contention of many of her leaders is that any crowded nation of the earth is entitled to unrestricted immigration to any country possessing available territory. Does this not include the United States?

12. That, should ineligible Asiatics prove assimilable with our body politic, a simple change in the naturalization law would allow the entrance of such Asiatics as immigrants without any change whatever in the existing immigration law.

13. That the future welfare of our people must be placed ahead of any claimed benefits for any group, class, or interest engaged in religious, pacific, or business activities.

* * *

National origins basis not accepted by many

Those who would give a quota to Japan and other Asiatic peoples claim that it would not appreciably increase our Asiatic population. This is true under the "national origins" plan of determining a quota. One hundred and eighty-five Japanese would enter the country annually. The extension of the quota to other Asiatics would permit an annual influx of one thousand Asiatics.

Those opposed to a quota affirm that this "national origins" basis has never been accepted by a large and influential section of our people. They remind us that President Hoover and the Republican leaders of Congress have continuously urged a return to the "1890 foreign born" or the establishment of a "selective basis". The return of the "1890 foreign born" basis would admit two thousand Chinese annually, while the replacement of the "national origins" basis with a "selective basis" would permit as many Asiatics as Europeans to enter the country.

Section evenly divided on Japanese quota

After giving thorough deliberation to this question, and the problems relating thereto, the Section is *evenly divided* on the question of granting a quota to Japan, but is unanimous in its conclusions that the history of Asiatic immigration to the United States proves that it is not desirable. Among the leaders of representative groups who have addressed the Section there is no difference of opinion as to the undesirability of such immigration. The one difference of opinion seems to be as to the best manner of accomplishing restriction.

There is a growing belief in the Section that the time has come in our development when the United States should discontinue immigration and develop a homogeneous people, an American race.

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Argument in Favor of a Japanese Quota

By
Samuel J. Hume
Exec. Secretary, California Council on Oriental Relations

PRESIDENT JOHNSTONE: You have heard the excellent and very carefully considered report by the Section Chairman. The case for admitting a quota of Japanese will be presented by Mr. Samuel J. Hume, Executive Secretary of the California Council of Oriental Relations.

NATURALLY I am sensitive to the compliment which has been paid me in asking me, one who is not a member of the Commonwealth Club of California, to speak to you on this question of a modification of the 1924 Immigration Act and the extension of the Quota system to Japan.

In considering this important question, it is essential at the outset that we should have a clear understanding of what precisely are the points at issue. We should confine our discussion to those pertinent facts applicable to present conditions—conditions as they exist in actuality and not in theory.

Now while California and the Pacific Coast in general obviously are more immediately and vitally affected than the country as a whole by any policy directed toward the regulation of Oriental immigration, yet it must be apparent to all that *no policy can be considered from a circumscribed local viewpoint alone.*

Need for rigid restriction is granted

What we wish to determine specifically is *not whether this law was good and advisable* in 1924 but whether looking into the future, the best interests of our country, viewed broadly and not from any insular standpoint, would be best served by a modification of our immigration law of 1924, the removal of the unfortunate discriminatory exclusion clause Section 13-c, and the placing of Japan upon a quota basis. That I take it is the question and it is to that I shall speak.

At the outset please bear in mind that there is one fundamental point agreed upon by everyone, both those who oppose a modification of the exclusion law of 1924 and those who advocate its modification and the substitution of the quota system, to wit *the necessity for a rigid restriction of oriental immigration.*

We live today in a changing world, a world in which all thinking men are called upon, almost daily, to alter their viewpoints and their judgments as the result of the acquisition of new knowledge and pertinent facts. It is a platitude to say that it is no longer possible for this great country of ours to remain isolated and to refuse to participate in international affairs. Whether we wish it or not we are being drawn into a more active participation. Now, that participation is of the greatest importance, but of even greater importance is the *way* in which we participate.

We must weed out extraneous considerations

Events charged with tremendous and far reaching significance are occurring in both Europe and in Asia. To us in California the striking readjustments taking place in the far East are of major importance, and may become of even greater importance in the future. Upon the outcome of those events and, particularly, upon our attitude toward the Orient, may depend our future well being and prosperity. Therefore, I want you to lay aside, for the time being, any opinions or judgments which you may have formed and permit me to try to present this case to you as clearly and concisely as I can.

As a matter of fact, the matter is comparatively simple and it would seem that our course of action was almost obvious. Unfortunately, the whole question has become confused through the introduction of extraneous considerations such as birth rate, assimilability, standards of living, naturalization, land tenure, eligibility to citizenship, the situation in Hawaii, Filipino and Mexican immigration and the like. It must be apparent that all these are irrelevant and beside the point, and consequently I do not intend to touch on them at this time. Some of them may have been pertinent prior to 1924, but today, in this rapidly shifting world, the whole picture presents quite different aspects.

Restriction movement followed Great War

In the early history of our country it was our policy to offer refuge and opportunity to alien immigrants from all the countries of Europe; and it is only since the Great War that we have come to the conclusion that our future best interests, stability, and prosperity are contingent upon a very rigid restriction of what was formerly practically unrestricted immigration.

This feeling became crystallized and was made effective in the

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United States Immigration Acts of 1921 and 1924 which placed all European countries upon a quota basis. Somewhat later by presidential proclamation, the number of immigrants to enter our country each year from Europe was determined by a definite formula, based upon national origins.

Let me recall what the situation was in 1924. By the Chinese Exclusion Act of 1882, all Chinese immigrant labor was barred from entrance into our country, and by the Asiatic Barred Zone provisions of the 1917 law, all Hindus and other Asiatics were similarly barred. Prior to 1924 immigration from Japan was controlled and regulated by what is known as the Gentlemen's Agreement entered into by President Roosevelt and the Japanese government in 1906.

Prior to 1924 citizenship not regarded as related to immigration

This legislation had for its purpose the definite restriction and the ultimate complete stoppage of Asiatic labor entering our country. In 1921 the United States Congress passed an immigration act designed to definitely restrict immigration from European countries. This act provided for a quota of three percent of aliens of each nationality already resident in this country, reckoned on the basis of the census of 1910. The quota provision was not made conditional upon eligibility to citizenship, and accordingly during the three years, 1921 to 1924, alien Japanese not eligible to citizenship could enter the country upon passports issued by the Japanese government under the Gentlemen's agreement.

At the same time this emergency immigration bill of 1921 was before the Senate, Senator Phelan submitted an amendment raising the question of eligibility to citizenship. This was objected to by Senator Colt, and the Senate by rejection of this amendment in effect held that a naturalization amendment was not germane to an immigration bill. I wish to stress this point and make it clear that prior to 1924, during all the time in which hordes of immigrants from southern Europe and the Near East were coming into this country, citizenship and immigration were not regarded as having any relation to each other.

Of four alternatives, exclusion only one not acceptable to Japan

This 1921 law was an emergency immigration measure designed to avoid the effect of the flood of immigration which it was anticipated would follow the peace treaty. It was to remain in effect only

until June 30, 1924. Consequently in the spring of 1924 it became necessary to make provision for the limiting of future immigration by another law. At the time this new 1924 law was under consideration by Congress, the immigration committees of the House and Senate were faced with four alternatives for dealing with immigration from Japan:

1. A readjustment and tightening of the Gentlemen's Agreement to further restrict immigration from Japan in conformity with the wishes of California.
2. A new treaty or agreement covering immigration from Japan.
3. Placing Japan under the quota system which was to be applied to European countries.
4. Discriminatory exclusion.

Any one of the first three methods would have been satisfactory to Japan.

Hanihara letter changed entire aspect of situation

The history of the hearings before the Senate Committee and the discussions on the floor is too long to go into here. When Senator Colt presented the report of the Committee on Immigration, Senator Shortridge of California offered an amendment which provided that no alien ineligible to citizenship shall be admitted to the United States unless he should be one of the accepted classes enumerated in the Statutes. The Senate Committee then submitted an amendment adding another exception as follows: "An alien entitled to enter the United States under the provision of a treaty or an agreement relating solely to immigration". The avowed purpose of this amendment was to continue the Gentlemen's Agreement in force as it had been by the Act of 1921.

Before a vote on the amendment could be taken, the receipt of the well-known Hanihara letter changed the whole aspect of the situation. In this letter Ambassador Hanihara among other statements made the following:

"... I realize, as I believe you do, the grave consequences which the enactment of the measure retaining that particular provision would inevitably bring upon the otherwise happy and mutually advantageous relations between our two countries."

Exclusion law passed solely through resentment

Remember that this letter was written to Secretary of State Hughes and not to the Senate. It was transmitted by Secretary of State Hughes to Senator Colt and came out in the Senate. This brief

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paragraph was seized upon and interpreted as containing a threat, "grave consequences".

The letter was presented on April fifth. Thereafter discussion on the merits of the Legislation largely ceased and even those members of the Senate whose views had been previously expressed in favor of the bill changed their attitude. Solely in resentment at an expression in Ambassador Hanihara's letter, even Mr. Reed, the chief protagonist for the Committee's bill and the amendment to preserve the Agreement, forgot the convincing force of his own arguments, and

1. Voted to terminate without notice to Japan the Gentlemen's Agreement, and
2. To make eligibility to citizenship a condition of the privilege of immigration.

Quota basis for Japan would have been just, logical

Hence the 1924 law was passed containing the objectionable discriminatory exclusion clause 13-c. It was passed in spite of the protests of some thirty heads of leading American universities and colleges, of innumerable business and professional leaders and some forty leading newspapers east of Chicago.

The just and logical procedure at that time would have been to place Japan upon the quota basis, to have tightened the Gentlemen's Agreement, or to have entered into a new treaty or agreement. All those who were in close touch with our oriental affairs, all those who were in a position to know, testified that under the Gentlemen's Agreement, immigration had been smoothly and effectively handled, and that, in addition to a very fine feeling of friendship, cordiality and good will had been built up between ourselves and our most powerful neighbor in the Orient. Now, this courtesy was not extended to Japan, largely due to the influence of certain citizens and organizations in California—Senator Shortridge, Senator Phelan, Attorney General Webb and Mr. V. S. McClatchy, representing the American Legion, Organized Labor, the Grange, and the Native Sons of the Golden West.

Japanese singled out for invidious discrimination

I must make it clear that at no time did either the leaders in our own country or in Japan ever deem it advisable that there should be any lessening in the restrictions to be placed upon Japanese immigration. The whole question—and this was of major importance—

was the *way* in which that restriction should be accomplished. In other words, the method, the procedure.

Instead of placing Japan upon a quota basis, a clause was introduced into the 1924 law excluding, with minor exceptions, aliens ineligible to citizenship. You will recall that under our naturalization laws only white persons, Africans, and persons of African descent are eligible to citizenship. This clause, therefore, excluded all members of the yellow and brown races of Japan, China and other Asiatic countries. Keep in mind that this clause excluded aliens ineligible to citizenship. In theory this applied to all orientals, but in practice, it singled out the Japanese for invidious and unjust discrimination.

That this clause was aimed directly at the Japanese is made clear in a letter from Secretary of State Hughes, written to Congressman Albert Johnson, the framer of this bill at the time it was under consideration, dated February 8, 1924, in which he said:

> "It would be idle to insist that the provision is not aimed at the Japanese, for the proposed measure continues in force the existing legislation regulating Chinese immigration and the Barred Zone provision of our immigration laws which prohibit immigration from certain other portions of Asia."

Discrimination a cruel and unnecessary act

What was the effect of passage of this law discriminating against Japan in particular? To the Japanese this was a cruel, unnecessary, and, in view of the Gentlemen's Agreement, an unsportsmanlike and unjust act. It was a blow to their pride, a slap in the face. It implied first, that they had not lived up to the Gentlemen's Agreement and it implied in the second place that they were an inferior people. What this can mean to a proud and sensitive race can best be imagined by placing yourselves in their position.

Prior to 1924 a fine feeling of friendship and good will had been built up through the mutual exchange of courtesies on the part of individuals and the respective governments.

At the time of our San Francisco earthquake and fire the Japanese contributed more money for relief and rehabilitation than all the countries of Europe combined. At the time of the Tokio disaster we reciprocated.

Influential Japanese found our attitude, as expressed in this act, incomprehensible, and all those closest in touch with our oriental relations, and practically all leaders of thought in our own country

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protested vigorously against the introduction of this discriminatory clause.

Secretary Hughes urged elimination of exclusion provision

Secretary of State Hughes expressed his views on the unfortunate character of this discriminatory clause in the same letter to Mr. Albert Johnson from which I have already quoted. He said:

"The practical effect of Section 12-b is to single out Japanese immigrants for exclusion. The Japanese are a sensitive people and unquestionably would regard such a legislative enactment as fixing a stigma upon them.

"The question is presented whether it is worth while thus to affront a friendly nation with whom we have established most cordial relations and what gain there would be from such action. Permit me to suggest that the legislation would seem to be quite unnecessary even for the purpose for which it is devised . . . and I most strongly urge upon you the advisability, in the interest of our international relations, of eliminating it."

When the bill was presented to President Coolidge for his signature, he likewise took occasion to protest in the following words:

"There is scarcely any ground for disagreement as to the result we want, but this method of securing it is unnecessary and deplorable at this time. If the exclusion provision stood alone, I should disapprove it without hesitation if sought in this way at this time."

Please note that President Coolidge here expresses, in no uncertain terms, his disapproval of the *method*. The *result*, that is to say, the rigid restriction of Japanese immigration, was agreed upon by all.

Unjust discrimination still rankles in Japan

As Secretary of State Hughes said, "It is useless to argue that the Japanese attitude in this matter is unjustified." It is equally futile to maintain that they will forget about it through the passage of time. In the minds of all influential Japanese this unjust discrimination still rankles and there can be no true feeling of friendship, cordiality and good will, established upon a sincere basis, until this injustice has been rectified.

Speaking before the Kioto Conference of the Institute of Pacific Relations in 1929, Viscount Shibusawa, that grand old man of Japan who died the other day at the age of 91, one of our oldest and most influential friends in that country, said, speaking of this matter: "The wound so needlessly inflicted upon our sense of national honor is still open and will remain open until the matter is rightly settled."

Discrimination begets discrimination: we should look to future

Sherwood Eddy, who has spent thirty years of his life in the Far East, and who is recognized as one of its keenest and fairest critics,

says in his recent book, The Challenge of the East, speaking of this matter:

"Can we imagine Great Britain or France going out of their way to pass discriminatory and invidious legislation, admitting all tourists save those from the United States and Mexico, or can we conceive the effect which such an exclusion would have upon our people? But even this utterly fails to convey to our . . . race the literally heart-broken feeling of the very best Japanese leaders. This has grown no less in the seven years since the exclusion act and it will not lessen in the future. 'Discrimination begets discrimination, and it is not at all inconceivable that the time may come when the United States will be as eager to escape discrimination in China and Japan as the latter countries have endeavored to escape it in the United States.' (Payson Treat in The Far East, p. 517.) But we should not wait until we are compelled to right this wrong. If we cannot have a "gentlemen's agreement," we can at least have legislation that will avoid gratuitous insult. The best people both in America and Japan will continue to regret this legislative blunder and will never be satisfied until it is rectified for the sake of American national honor as well as that of Japan."

All I have attempted to do here is to give you a brief resume of the situation as it existed prior to the passage of the 1924 law, and to point out some of the consequences which followed in its wake. It must be apparent to everyone that this is now ancient history.

It is useless to debate the question whether the Gentlemen's Agreement, considered as an instrument for the control of Japanese immigration, met the wishes of this country or not; or whether Japan on her part lived up to the agreement. These are academic questions and in no way pertinent to the present discussion.

Naming of organizations for and against unimportant

It must be apparent also that it is equally futile to recall the organizations which were in favor of the offensive discriminatory clause, such as the Native Sons, the American Legion, the Grange, and Labor, just as it is without actual point to name the many equally powerful organizations and individuals who protested vigorously against the introduction of this indefensible and unjust discriminatory clause.

We are dealing with the present and are considering the advisability of rectifying this mistake and placing Japan upon a quota basis. We are living in a new and radically different world; our eyes must be turned toward the future and our old unbecoming animosities and prejudices put behind us.

If Japan were placed upon a quota basis, what would be the result? If placed under the operation of this law, Japan would have a quota of approximately 185 per annum. This figure is given out by

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those in charge of computing quotas for the State Department and is not disputed by our opponents.

Now the addition of 185 Japanese per annum to our present population is negligible. It is tantamount to rigid exclusion. As a matter of fact, a great many students of the question maintain that under the quota system fewer actual Japanese would enter our country than do now under the exceptions to the 1924 law. In any case, the number entering is negligible.

Quota would have entered fewer Japanese than exclusion clause

The San Francisco Chronicle pertinently points out in its issue of May 24th, 1930:

"And as it turns out and as it was foreseen at the time, the quota basis would have let fewer Japanese into this country than have come in under the exclusion clause of 1924."

Chester Rowell, discussing the proposal of Chairman Johnson of the Immigration Committee of the House to modify this unfortunate legislation and to extend the quota to Japan, said in June 1930:

"The question now is the proposal of Chairman Johnson to put the Japanese on the quota. Six years of discussion have given both Americans and Japanese a better understanding of the issue. The Americans now know that there is no question of increased Japanese immigration. The Japanese accept our policy as fixed and they no longer consider it important on the practical side. . . . What they do want is that if we keep them out we shall do so as Canada, Australia and New Zealand have done, in a manner compatible with the dignity and pride of its people.

"This may strike practical Americans as a punctilio, but in the sensitive Orient it is not. There form is often more important than substance, and dignity more precious than life. Certainly, if it will smooth the way to better relations without affecting our domestic situation, we can afford to grant what we value so little and they esteem so highly—a change in the form of doing the same thing. Whether we let in 120 Japanese a year under the quota or a few more under the exceptions is of the slightest practical significance to us. It is of enormous sentimental importance to Japan.

"Our responsibility is in the world in which we live. In that world we shall lose nothing practical at home and gain much in friendship, security and opportunity abroad, by the gracious gesture of recognition of a great and friendly people now proposed. If California will lead, that will be done. It is up to us."

Secretary Davis attacks working of 1924 law

Now let us ask ourselves this question: Does the 1924 law as applied to Orientals prove in actual practice a smooth-functioning and effective instrument for the control of Oriental immigration when viewed from the standpoint of the immigration officials who are responsible for its operation and who are consequently in a position

to speak authoritatively on the question? It is apparent that it does not. For after six years of trial we have the following statement from former Secretary of Labor Davis in his annual report to Congress for the fiscal year, 1930, in which he says:

"It so happens that the quota limit system which is now chiefly applied to Europe would, with possibly some adjustments, afford equal or in some instances even more complete control of oriental immigration than now exists under the various earlier statutes relating thereto. I strongly recommend that Congress consider the feasibility of adjusting the quota system so that it will prove an acceptable substitution for the laws and parts of laws that relate only to Chinese and other oriental immigration. Officials who have immediate contact with the administration of these laws assure me that many of them are now of no value and some of them even detrimental from an administrative standpoint."

There is no "basic principle" involved in law

Admitting that the numbers of Japanese to be allowed to enter this country under the quota are unimportant, even negligible, the opposition falls back upon the contention that the grant of quota would mean "abandoning the basic principle of excluding ineligibles"—that is, those ineligible to citizenship.

I cannot understand what is meant by a "basic principle" unless we take it to mean something which is axiomatic, fundamental, inalterable, and above all, self-evident to the average rational mind. If any such principles exist they are, by common consent, placed in a unique and sacrosanct position; such for example, as the principle that the same individual cannot at the same time be his own defendant and his judge. Moreover, such principles are based upon common acceptance over a long period of time. The basic principle advanced by the opposition must have come into being in 1924.

"Basic principles" usually only working policies

No one but the opposition has ever contended that the exclusion clause embodied a basic principle, and it is highly improbable that any disinterested legal mind would ever for a moment consider it as such. The opposition's statement assumes that what has once been accepted as a so-called basic principle can only with the gravest consequences be abandoned.

So far as human society and government are concerned it is extremely difficult if not impossible to conceive of any so-called basic principle which has remained "basic" and in the opposition's sense "inalterable". Every society has, at certain times, considered the rules which governed the relations of members within that group

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and the group's relations with other groups as basic principles. Yet even a glance at the past will convince us that what any given society was wont to call basic principles were after all nothing more than working *hypotheses,* or, better, *policies*—policies subject to change when altered conditions made such change advisable. Had that not been so, there could have been no progress either in law or government. There is no principle involved. This is merely a question of policy and no amount of reiteration of the words *basic principle* can make it appear otherwise.

Good will as important between nations as between individuals

This is largely a question of feeling, and yet good will among nations is contingent upon a nice consideration for just such things as pride, national honor and the like, and a careful adjustment of our relations in conformity with a spirit of justice and fair play. Whether 185 Japanese or none enter our country each year is of no practical importance to either government. This is a question of feeling, and yet good will among nations is determined, to a large extent, by a nice consideration for our neighbor's feelings.

It is true that the value of good will is intangible, and yet all of you here would readily admit that good will is just as important an asset in the lives of nations as it is in the lives of individuals.

And now, in closing, let me impress upon you that we must exercise the greatest care not to be led astray by the discussion of purely irrelevant aspects of this history. We must keep in mind that we are dealing with the present and not with the past; that we face a new set of conditions, demanding from us a new approach, above all, a new attitude of both mind and spirit. This whole discussion will, I am certain, in the end narrow itself down to a consideration of what each one of us individually believes to be right feeling and right conduct.

Justice the only true basis for patriotism

I believe that when we fall back upon such statements as "the abandonment of a basic principle," "ineligibility to citizenship," "unassimilability," and the like, we are disingenuously—perhaps unconsciously—attempting to rationalize, to justify, an act which was at the time hasty, unconsidered, discourteous, and unjustified. Had any one of us been the witness of similar inconsiderate treatment perpetrated by one individual professing to be a friend upon another

whose friendship he acknowledged, we would have condemned it without reservation in the severest terms.

Nor can anyone justify this procedure on the ground of patriotism. Around the term "patriotism" unfortunately many false ideas have collected. And surely in this case we can make no appeal to patriotism, if patriotism be conceived in any true sense. No one today can subscribe to the old slogan, "My country, right or wrong!" Patriotism, if it is to mean anything, must manifest itself in an ardent desire to see one's country act with justice and with high integrity toward all. And the patriotic citizen is he who is ready to exert every effort to assist her in so doing.

We cannot live in vacuum as a nation

Now the part of a gentleman the world over is instinctively to desire to correct an error, to rectify a hasty judgment, to make amends for an act of discourtesy. This is the universally accepted code of sportsmanship. This the opponents of the quota choose to call 'timidity". They prognosticate the future and speak cryptically of an "opening wedge" created through the extension of quota, hinting darkly of menacing demands on the part of Japan and other Asiatic countries; demands which we will be unprepared to meet and unable to refuse. That the United States, the most powerful country in the world today, cannot meet in the proper manner and in a spirit of approved courtesy any such future demands, is, I maintain, an assumption beneath the dignity of any citizen of a great nation with a record such as ours.

We cannot live in a vacuum as a nation any more than we can as individuals. Inter-relationships with our fellow nations are inescapable.

It is both foolish and naïve to say that it was our privilege to enact this law, irrespective of Japanese feelings in the matter. After all, a nation is no more than an aggregate of human beings, and in dealing with another nation we are dealing with but another aggregate of human beings sharing with us analogous feelings of justice, pride, honor, and the like. Are not, then, the simpler and broader procedures implicit in human relationships equally applicable in the dealings of nations one with another?

We had entered into friendly agreements with our neighbor Japan in the past. We had been a party to mutual commitments undertaken in a spirit of friendship. To disregard that friendship which

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we had encouraged was an irresponsible and unjust act. Suddenly to cast aside as irrelevant the confidence and trust which we had inspired and which our friend had reposed in us can never be justified in terms of human relationships, and if all that we hold to be the finer human impulses are not to receive an even higher expression in the conduct of relations between sovereign states than they receive between individuals, then my understanding of what constitutes ethical procedure in international relationships is sadly in error.

This approach summarized as "Square Deal in Pacific"

This approach to our problems in the Pacific, this spirit of friendship, justice, and fair play which should animate all our relations with the Orient, might be summarized as The Square Deal in the Pacific. This was an attitude the importance of which in our Pacific relations was fully appreciated by President Roosevelt, one of the most internationally-minded men we have ever had in the presidency, and was forcefully expressed by him in the following words:

"Our Nation fronts on the Pacific just as it does on the Atlantic. We hope to play a constantly growing part in the great ocean trade of the Orient. We wish, as we should wish, for a greater commercial development in our dealings with Asia; and it is out of the question that we should permanently have such development, unless we freely and gladly give to other nations, the same measure of justice and good treatment which we expect to receive in return.

"I ask fair treatment of the Japanese, as I would ask fair treatment for Germans, Englishmen, Frenchmen, Russians, or Italians. I ask it as due to humanity and civilization. I ask it as due to ourselves, because we must act uprightly towards all men."

Argument Opposed to a Japanese Quota

By V. S. McClatchy
Executive Secretary California Joint Immigration Committee

PRESIDENT JOHNSTON: Mr. V. S. McClatchy, the Executive Secretary of the California Joint Immigration Committee, will present the case against the granting of a quota to Japan.

OPPOSING views on any subject may not be intelligently discussed unless there be agreement as to terms, and understanding as to facts. When we ask "Should we annually admit a quota of Japanese?" just what is meant thereby and what are the results entailed? And by what gauge shall we determine whether those results justify the price which must be paid therefor?

Existing law only logical, effective plan

The grant of a quota to the Japanese—and necessarily, in fairness, to other Asiatics ineligible to American citizenship—would confer on them the same rights of entry for permanent settlement in this country as are now granted to Europeans of the assimilable races, on whose standards American civilization has been based. It means automatic repeal of the present provision (Sub. C, Sec. 13, of the Immigration Restriction Act of 1924) excluding as immigrants all those ineligible to American citizenship, since the grant of a quota would confer upon the disqualified races the very rights which the present law denies them. It involves permanent abandonment of the basic principle of the law, since the privilege once granted may not be withdrawn.

That law offers the only logical and effective plan thus far suggested to provide a barrier against entrance of the unassimilable races of Asia under any and all possible future conditions. It is a necessary corollary of our naturalization law, which since 1790 has barred from citizenship the colored races of Asia. It is the only means by which we can prevent those races securing American citizenship for their children, equally unassimilable.

In reality, not merely 185 Japanese, but total of 1,000 Asiatics a year involved

Advocates of a quota for Japan concede the point of racial unassimilability and the necessity for restricting immigration from Asia, but urge that the proposed quota means practical exclusion, as under

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the present law it would restrict that immigration annually to 185 from Japan and a corresponding number from certain other Asiatic countries, say a total of 1,000 ineligibles. But in making that plea the real issue is evaded. Once the eligibility of these races is conceded, regardless of the number admitted, slight changes in the law, or in its operation, would admit larger numbers. For instance, a change from the "national origins" plan to the one temporarily used before would admit 2,000 Chinese annually; a change to the "selective" plan would admit practically as many Asiatics as Europeans; a law admitting ineligible alien women for wives of men already here would increase rapidly our Chinese and Japanese population; Japan could consistently insist on as large an immigration quota as allowed any other first class power. *A quota cannot be granted to Japan as proposed and the barrier against ineligible Asiatics maintained.*

Any "good will" gained could only be temporary

It is claimed that certain desirable results would follow abandonment of the present national policy and the grant of a quota to Asiatics who are now barred. It becomes necessary then to consider those results and the interests that would be benefited thereby, and finally to determine whether they should receive greater weight than such national interests as may depend on maintenance of the present policy and law. If agreement cannot be reached on this issue, at least the issue will have been clearly defined.

It is said that Japan's goodwill has been lost because of the present law and may be regained by a grant of quota. The real question, however, is not, "Does Japan feel aggrieved?", but rather, "Has she just cause for grievance?"; and also, "Will grant of the present demand insure permanent goodwill, or only encourage further demands?" Goodwill which must be bought by gifts will not perhaps survive when gifts are no longer offered. In a competing world neither individual nor nation can long survive whose actions are dictated by the wishes of others rather than by his own needs.

Mentions organizations favoring Japanese exclusion

It is suggested that Japan's goodwill, if secured now, will make for international understanding, insure peace on the Pacific, and prevent war between the United States and Japan. *But in the unlikely event that Japan is determined to consider as sufficient grounds for permanent ill will and future war the maintenance by us of a national policy similar to that which she herself rigidly follows, it were better to know that fact before we abandon the only logical and effective barrier against peaceful Asiatic invasion.*

Japanese quota advocates well meaning but misguided

It is significant that the organizations instrumental in securing passage of the present exclusion law, and which have since continuously defended it, while differing widely in membership and purposes and offering a representative cross section of American citizenry, have no selfish or class interest in this matter. They have been actuated by what they conceive to be the vital concern of the nation. Never before have these organizations thus cooperated in a great national movement. The organizations referred to include the national and California state bodies of the American Legion, American Federation of Labor, Grange, and the Native Sons of the Golden West. To the number has been added within the past few years the new American Coalition of Patriotic Societies, comprising over ninety affiliated organizations.

Having clearly defined the issues in this controversy, consideration may now be given to the facts. The ardent support given in good faith to Japan's cause in this matter may be ascribed in many cases to lack of accurate information. In this narration of facts, reiteration of matters sufficiently covered in the able report of the Chairman of the Immigration Section will be avoided so far as possible.

Asiatic immigration created new danger

No factor is so necessary to the strength and life of a nation today as homogeneity in its citizenry. To that element and its one hundred percent literacy Japan owes in large part her position today as a first class power. It was to maintain homogeneity in its future population that the founders of the American Republic in 1790 limited naturalization to free whites. The children of citizens were, of course, entitled to citizenship, and so also by inference were children born on the soil to parents eligible to citizenship; *but not children born to those ineligible to such citizenship.* After the Civil War blacks were made eligible for naturalization, while the colored races were still barred. The Fourteenth Amendment, however, conferred citizenship on all those born on the soil regardless of race or qualification—an oversight which was realized later. At that time

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there were few members of the Asiatic colored races in the United States.

With entrance of colored Asiatics in numbers a new danger was created, because their children acquired citizenship by birth. Three immigration exclusion measures were adopted to prevent the further entrance and guard against increase of these unassimilable groups. One of these measures, the Gentlemen's Agreement with Japan, failed to accomplish its declared purpose. The exclusion provision of the 1924 act was intended to take the place of all previous laws of this character and to establish a broad general principle applicable to all possible future conditions.

Partly through omission, partly through special provision and partly through executive operation the broad and plainly expressed intent of Section 13 and its promoters was modified. The Chinese Exclusion Act and the Barred Zone Act (which excludes Hindus, Malays and others) were retained in force. Filipinos, ineligible to our citizenship,*1 were declared admissible, as were all citizens of Mexico, though about one-third of her population, as Indians, are also ineligible.*2 Thus was created the ground for Japan's claim that Section 13 was discriminatory against her people, since in operation it is used only against the Japanese, while other races, equally ineligible, are barred or admitted under separate provisions.

Japanese and other Asiatics prove grave problem in Hawaii

The advocates of a quota for Japan, instead of demanding and attempting to secure such changes as would restore the full force and effect of Section 13, and thus do away with any appearance of discrimination, insist that the Section itself shall be repealed and its basic principle abandoned.

Such a course is clearly inimical to the best interests of this nation, as will appear from the facts.

For over fifty years California has determinedly fought against the peaceful invasion of the state and nation by unassimilable Asiatics. She contemplated the threatened fate of Hawaii and saw similar conditions developing in certain sections of the Golden State. *Today Hawaii is an Asiatic colony and will ever remain so, Asiatics already constituting over two-thirds of the total population.* In 1931, Governor Judd, Hawaiian born, vetoed a resolution of the Hawaiian Legislature, petitioning Congress for statehood, and declared that Hawaii should not invite statehood until experience had demonstrated how her Asiatic population would use the franchise.*3

Less than twenty years ago, finding that the Japanese in continental United States had multiplied in numbers, notwithstanding Japan's responsibility under the Gentlemen's Agreement;*4 that they were maintaining in California a state within a state under Imperial direction;*5 and that they had, in conjunction with the Chinese, obtained control by ownership or long lease of from fifty percent to eighty-five percent of the rich irrigated lands in four leading agricultural counties*6—California forced the attention of Congress to the situation by passage of an alien land law.

Missionaries propagandize in favor of Japanese quota

About this time a powerful ally entered the field on behalf of Japan—the Federal Council of the Churches of Christ in America. It was convinced by Dr. Sidney Gulick, a missionary professor from the University of Doshisha, who came from Japan for the purpose in 1913, that its elaborate plans for evangelizing Japan would be materially advanced by securng for Japanese the same rights in immigration and citizenship as granted Europeans. Dr. Gulick was employed to manage a propaganda movement and has since acted in that capacity. The Council's President, Shailer Matthews, in 1915, made public promise in Japan that the Council would bend every effort to accomplish the purpose desired. It has done so since openly, or when that seemed unwise, then under cover through church, peace, civic and business organizations.*7

*1 Filipinos are classed not as aliens but as subjects. As members of the brown race they are ineligible to American citizenship but by special act those who had served three years with the Navy were made eligible for naturalization.

*2 The U. S. Supreme Court in the cases of Ozawa (Japanese) 1922, and Thind (high caste Hindu) 1923, laid down the rule that the word "white" in the naturalization law means "Caucasian" as the term is generally understood; and that Japanese and Hindus are therefore ineligible to citizenship. The Court has not passed on a case involving the American Indian (red race) but the rule clearly applies thereto, since the Indian is neither black nor Caucasian (See Opinion Calif. State Attorney General Webb, Sept. 1929). Secretary of Labor J. J. Davis issued an order recognizing any citizen of Mexico, regardless of race, as eligible to American citizenship (see his letter in explanation thereof to Hon. H. W. Johnson, Chairman Senate Immigration Committee, Feb. 5, 1929). The California Joint Immigration Committee protested this order to Secretary Davis and to his successor, Hon. Wm. N. Doak, asking for a test case, but the request was denied.

*3 Letter V. S. McClatchy to Hon. Wallace R. Farrington, September 3, 1931, C.J.I.C. Doc. No. 270.

*4 See President Roosevelt's telegram to California Legislature, February 9, 1909, pp. 13 to 18, "Japanese Immigration Legislation", hearing before Senate Immigration Committee, March, 1924; also President Roosevelt's Autobiography, pp. 411 to 414. Also "Immigration", Serial 1B, House Immigration Com. hearing, 1921-22, p. 471.

*5 See "Japan's Secret Policy", monograph published by Sacramento Bee, November, 1920, containing statements made by Dr. Yoshi S. Kuno, Professor of Oriental Languages and History at the University of California.

*6 See "California and the Orient", report by State Board of Control of California, 1920.

*7 See "Japanese Conquest of American Opinion", Montaville Flowers, Doran, 1917. Also "America and Japan", V. S. McClatchy, C.J.I.C. 1925. Also "Guarding the Immigration Gates", address V. S. McClatchy to State convention American Legion, Sept. 1925, pp. 17, 18, 19. Also brief "Political Activities of the Federal Council of the C. of C. in A.", V. S. McClatchy, prepared for House Immigration Committee Jan. 6, 1926. Also "Percentage Plans for Restriction of Immigration", House Immigration Com. hearing June and Sept., 1919, pp. 253 to 261; 270 to 274; 285.

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Showing of facts prevents Japanese quota

Bills were before Congress in 1919; in the House the Gulick bills for quota and citizenship for Japanese; in the Senate, the Wickersham "grandfather" bill to admit the blood relatives of such Japanese as had secured entrance or might do so thereafter. Public hearings were had by the House Immigration Committtee in 1919,[*8] by a sub-committee thereof in various cities in California and Washington, with wide publicity from newspapers of those states, in 1920,[*9] and by both Senate and House Committees in 1921. State and national organizations heretofore referred to, after investigation, demanded exclusion of all aliens ineligible to citizenship. The Senate Immigration Committee in 1924 refused a hearing on the subject, making public statement that it had decided to recommend a quota for Japan, being influenced thereto doubtless by effective propaganda of the Federal Council. *A hearing was forced, however, and the showing of facts made during the first two days thereof induced the committee to acknowledge that under no conditions should quota be granted to Japan and that some other means must be found, effective yet fair to Japan, for supplanting the Gentleman's Agreement.*

Majority opinion against Japanese quota

The five plans suggested were considered—a Japanese exclusion measure, a new Agreement, a treaty, a quota, and general exclusion of all ineligibles.[*10] The cause for Japan and quota was presented at length by Sidney Gulick on behalf of the Federal Council. The presentation of both sides of the case and the Senate Committee's decision thereon convinced a large majority of Congress that the exclusion of all ineligibles was the only plan that fulfilled all requirements. The majority opinion was known to be overwhelming in the House and a two-third majority was disclosed in the Senate by a personal poll conducted by Senator Pat Harrison of Mississippi and ex-Senator J. D. Phelan of California a week or more before the appearance of the Hanihara letter. That letter simply turned a majority opinion into a unanimous decision.

[*8] "Percentage Plan for Restriction of Immigration", House Immigration hearings June and September, 1919.

[*9] "Japanese Immigration", hearings House Immigration Com., in July and August, 1920, 4 vols. 1490 pp.

[*10] The three plans first named above for solution of the Japanese immigration problem were discarded for the following reasons respectively: 1. A special Japanese exclusion law—discriminatory on its face and insulting to Japan; not given second consideration. 2. Another Gentleman's Agreement—(a) The existing Agreement was unsuccessful in operation. Reasons therefor indicated that a second would not be better in result. (b) The Agreement surrendered national sovereignty, the U. S. admitting any immigrant coming with Japan's passport. (c) The Agreement invaded the prerogative of Congress which has the sole right under the Constitution to control immigration. 3. Treaty. A treaty also would take control of immigration out of the hands of Congress.

The history of the case thus briefed from the recorded and authenticated facts fully answers the claim of quota advocates that the present law is a piece of hurried and ill-considered legislation precipitated by hysterical resentment against the Hanihara letter. *No national issue has been more fully investigated and presented than was the matter of Asiatic exclusion and Japanese quota during the ten years preceding passage of the 1924 exclusion law.*

Campaign inaugurated to secure repeal

Immediately after passage of the law the Federal Council inaugurated a campaign in California to secure repeal of the act, having promised Japan to do so. It obtained formal approval of repeal by the State Federation of Women's Clubs and the State Church Federation and other organizations. Presentation of the facts, however, induced these organizations to cease active support of the movement. Abandoning then hope of securing direct repeal, the Federal Council took up again the plan for securing quota, which would automatically repeal the law. Through church and business channels which the Federal Council could influence the propaganda was carried on. In 1930 it was taken up by the U. S. Chamber of Commerce, and today it is being exploited by the California Council on Oriental Relations composed of some prominent citizens of the state, and organized for the specific purpose.

A knowledge of Japan's policy in immigration and allied subjects is essential for intelligent consideration of the present problem. The world knows now from documentary evidence substantiated by her acts, that for many years Japan has followed in all matters concerning the development and future of the nation a carefully planned program; that she allows nothing to turn her aside from accomplishment of the necessary steps thereto; that in furtherance of these policies which she considers measures of "self-defense" she declares frankly that agreements, pacts and treaties may be legitimately disregarded.

Japan demands racial equality with Europeans

At Versailles in 1919 she forced a vote on her demand for "racial equality", meaning thereby the same rights for her nationals in connection with immigration, citizenship, etc., as may be granted to na-

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tionals of European nations.*11 At various international conferences Japan has sought approval of her view that immigration is not solely a domestic question, and that it should be regulated by international agreement, based on the principle that countries with unoccupied spaces and undeveloped resources should open their gates to people from countries already overcrowded and facing a large annual increase of population. *General acceptance of that principle would lead inevitably to Japanization of the countries of the world.*

Japan twists international agreements to suit her ends

Japan has a way of interpreting agreements to suit her ends. She has had Gentlemen's Agreements as to immigration with Queensland,*12 Canada*13 and the United States,*14 under which restriction or exclusion was to be controlled by Japan's passport system. In each instance the terms of the agreement were evaded with resultant friction. *With Japan's clearly indicated policy in such matters, her record for accomplishing her objects in the face of obstacles and regardless of agreement, pact or treaty, it would be most unwise for the United States to open the door now, however slightly, to Japanese immigration and destroy thereby the only barrier available against*

*11 See official minutes Peace Conference, Commission of League of Nations, Feb. 13 and April 11, 1919. The recorded vote was 11 favorable and 6 opposed, the 6 being United States, Great Britain and her four Dominions. Japan probably would have had the support of Great Britain but for the threat of secession by the Dominions.

*12 In 1897, Queensland, through protocol under the Japan-Great Britain Treaty of 1894, made a Gentlemen's Agreement for exclusion of Japanese laborers and artisans, Japan agreeing to accomplish the purpose through her passport system. The understanding was repeatedly violated, laborers coming in under passport as commercial men, and Japan finally claiming that the intent was restriction and not exclusion. Queensland, backed by Great Britain, after much correspondence forced observance of the Agreement, but it was finally denounced by Queensland in 1909, and she has since excluded Japanese under the Australian Commonwealth's "dictation" plan. See Queensland Parliamentary papers, 1899, 1900, 1901.

*13 Canada approved the Japan-Great Britain Treaty of 1911, conceding Japanese the same rights in the Dominions as granted nationals of favored nations. The other Dominions, Australia, New Zealand and South Africa, declined to approve. Canada, finding she had made a mistake, secured a Gentlemen's Agreement with Japan, under which Japan was to restrict the immigrants by passport to 400 annually. She sent over about three times that number, and Canada after further negotiations secured a reduction of the quota to 150, but that number, too, was greatly exceeded. British Columbia, the Province most affected, has been demanding absolute exclusion for some years and there have been Parliamentary debates on the subject. See McLean's Magazine Oct. 15, 1921, article "Will Canada Go Yellow?", by John Nelson. Quoted in "Immigration", Serial 1B, House Immigration Com. hearing, Dec. 1921, Jan., Feb. 1922, p. 393.

*14 The Gentlemen's Agreement, made under President Roosevelt, was not a document but an involved secret correspondence never made public, concluded in 1907, but operation thereof suspended at Japan's request for a year until July 1, 1908. The declared purpose was "to prevent increase of Japanese population in continental United States". (See footnote No. 4.) During progress of the negotiations and while its operation was suspended, Japan sent into continental United States 19,774 immigrants, most of them adult males. After Roosevelt went out of office she sent over each year thousands of picture brides and kankodan brides until Japanese births in California alone increased to over 5,000 annually. The Agreement provided that laborers were not to be admitted, but Ichihashi, in his "Japanese in the United States", quotes the official records of U. S. Immigration Bureau to show that of the total number of Japanese men who were admitted under Japan's passport in the period 1908-1928, 59,829, nearly all of them—to be exact 56,980—were classed as "laboring men". Of the thousands of picture brides and kankodan brides who came over annually during the same period, many, perhaps most, were laborers, taking their places as such in the field. Many were classed as "laborers" in the manifests.

possible increase of that immigration in future years to an overwhelming flood.

Australian exclusion of Japanese no longer resented

All first class nations exclude as permanent settlers those who for any reason may be objectionable in that capacity. The English speaking nations, with the exception of Canada, which realized her mistake and has sought for some years to correct it, have always excluded and still exclude the colored races of Asia. Note that while Japan protests against exclusion by the United States, she now makes no such protest against similar exclusion by the Dominions of Great Britain.

What does Japan herself do? She wisely excludes as immigrants, under Imperial Ordinance No. 352, not only the Chinese of her own color, but also the Koreans who are her own subjects. In 1924 China made her seventh formal protest to Japan because Chinese were excluded therefrom, and called attention to Japan's inconsistency in thus acting while at the same time protesting against exclusion of Japanese by the United States.

Australian plan originally protested by Japan

Advocates of a quota say that in excluding the Japanese we should follow some such plan as that followed by Australia, which has been accepted as satisfactory by Japan. Here again is a judgment based on lack of information. No plan is willingly accepted by Japan which does not accord all she demands under "racial equality". She says today the Australian "dictation" plan is satisfactory, but in 1901, when that plan was under consideration, she protested it most vigorously as unfair and discriminatory, and finding Melbourne deaf to her protests, appealed to London. London declined to interfere and Japan accepted the situation after passage of the act without further protest.

Japan realizes Australia meant what she said—do we?

Advocates of a quota do not realize that the Australian plan is similar to, though more rigorous than, our exclusion law. In each case a law, not discriminatory on its face, operates against the Japanese and other colored Asiatics. In Australia, the law carries out the "White Australia" policy. In America the law is the logical corollary to our naturalization law, and provides a natural safeguard

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against the acquisition by the colored races of citizenship through birth on the soil.

Why then does Japan smilingly accept the law in Australia and violently protest it in the United States? Simply because she realized after test that Australia meant what she said and that further protest would be useless. In the United States, however, were groups of citizens who assured Japan they would have the law repealed, and have since worked to that end. Public sentiment in Australia does not encourage that sort of citizenship.

The facts do not warrant claim that loss of trade with Japan has resulted from our immigration policy or that grant of quota would increase that trade.*15 Japan buys where she can buy to best advantage. The grant of a quota to her now (which we could not hereafter recall) would not guarantee any trade increase in future years unless conditions justified her at the time in giving it.

Japan will oust other nations' trade from Manchukuo

Because of crowded conditions and her high birthrate, Japan was forced to substitute industry for agriculture as a basis of the nation's support. She therefore insisted on the right to take what territory she needed for her surplus population and her supply of raw materials. Since industry requires markets Japan proposes to secure for herself most of Asia's trade. Events have shown she will use force where necessary to take territory and increase trade, justifying that course by the plea of "self-defense". There will be no open door for American trade on the eastern shores of Asia if Japan can prevent it. American exporters found their markets in mandated Pacific Islands closed when Japan took control thereof; and Manchukuo, a puppet of Japan, according to cabled reports has already intimated that her markets will be closed to those who do not accord her formal recognition.

Facts will correct misunderstandings

It will be noted that the speaker has indulged in little or no argument in presenting his case. He has confined himself almost entirely to statement of the facts, so little understood. Those facts carefully considered will correct many misunderstandings and provide answer to the arguments thus far offered in behalf of a quota for Japan.

*15 See Report to California Joint Immigration Committee, July 19, 1930, Document No. 262.

To summarize:

It has been shown: That a homogeneous population is necessary to maintain the standards and life of this nation: That the founders of this nation therefore barred the colored races from citizenship through naturalization: That the dangers threatened by immigration of the colored races of Asia are apparent in the history of Hawaii and the early experiences of California: That the Pacific Coast has fought for fifty years to keep out those races:

That defects in existing methods of exclusion forced adoption of the law of 1924: That this law, simply excluding as immigrants all those ineligible to American citizenship, was the only plan of all those proposed which will accomplish the purpose under any and all future conditions: That its specific language, following the intent of its promoters, is universal and non-discriminatory in its application; and the defects, if any, created by omission or special outside provision, or executive operation, should be corrected by amendment and not by repeal of the law itself and abandonment of its basic principle:

That any quota for Japan, however small, would force such repeal and abandonment: That the urge for a quota by American citizens is based on lack of information or misinformation: That the whole exclusion subject, including the quota, was before the public and Congress for ten years before final action in 1924, receiving exhaustive examination and discussion.

That the law is in effect similar to the Australian dictation law, which Japan declares satisfactory; and that she would undoubtedly have gracefully accepted our law had she not been assured by American citizens of church and trade that they would prevent its passage or secure its repeal: That other English speaking nations exclude Japanese, and she does not protest thereat:

Our permanent welfare must come first

That Japan herself excludes even those of her own color: That Japan's publicly proclaimed policies as to immigration and her acts in connection therewith demonstrate the unwisdom of opening the door ever so slightly to Japanese immigration: That the plea that our trade with Japan has suffered through ill will is conclusively disproved: That there is no foundation for the statement that Japan, if granted a quota, would interpose as a buffer between Communist Russia and western civilization, the evidences showing perfect under-

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standing between Russia and Japan as to such disposition of China as will accomplish the aspirations of both:

And finally that our first consideration in all such matters should be the permanent welfare of this nation, notwithstanding the desires of foreign nations or the interest of class, section or group in this country.

I take the liberty of suggesting in conclusion that the subject is too important, and the responsibility of every citizen in connection therewith too weighty, to justify reaching a decision without careful consideration of the facts and arguments which induced so many state and national organizations—without selfish motive, and impelled only by zeal for the nation's welfare—to secure passage of the present law and to guard it since from attack or modification.

Discussion From the Floor By the Meeting

Under the Five-Minute Rule

PRESIDENT JOHNSTON: The question so ably presented by the Section and by the speakers is open for discussion under the five-minute rule.

Remarks by M. A. Goldstone
Merchant

MR. GOLDSTONE: I am in disagreement with both parties to this controversy. In my judgment they both make the wrong approach. On the one hand, I am opposed to a quota for Asia. I say "Asia" since it is incredible that we should show a preference to Japan over any other Asiatic country. I am opposed to a quota if it means admitting cheap labor or inferior stock even to the extent of a single individual.

On the other hand, I am in favor of a quota if we establish higher standards of admission than exist today, if we were enabled to choose the best types of those who seek admission and if we accord our administrative officials greater latitude in the selection of applicants.

In short, my view is immigration by selection; immigration restricted to the skilled, to the cultured and to the above-average. And it is my firm belief that in the selective principle, if adopted, we would find a happy compromise and a solution of our problem.

It is true that there is much in Asia that is degrading and decadent, but there is also much that is excellent.

So we must not indict a whole nation. We must not condemn almost an entire continent containing one billion of souls, who are, in their potentialities, like ourselves. Civilization itself started in Asia. We are all Asiatics by descent. Agriculture, writing, science and the arts were first nourished on her soil. And, today, there are some Hindus at whose feet I would be proud to sit and learn. There are some of the breed of Confucius whose filial piety and serenity of mind we might well emulate. There are some even of the sons of Nippon, who, despite the discredit in which her existing government is held, are the exemplars of courage and of sacrifice. There arose on the soil of Asia, a hallowed being, whose teachings we all revere.

I cannot find it in such knowledge as I possess, nor in my heart, to refuse to welcome such characters to our society; to deny them

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permanent residence here, together with the privilege of citizenship should they desire it.

Finally, men of the higher learning and men of science see very little harm and much good in the ultimate absorption of such as I have described, in our native stock.

Remarks by Kaname Wakasugi
Consul General of Japan

MR. WAGASUGI: In my official capacity I had best refrain from entering into an argument on the question. But I would not be loyal and faithful as a member of the Club and the Section, if I were not frank enough to question, or to give, any valuable information on the issues. I would like to ask Mr. McClatchy if he has concrete ground for his statements upon four points.

He said Japan has an exclusion immigration law against Chinese and the Koreans. So far as I know, in my official capacity, Japan has no immigration law excluding Chinese or Koreans. Japan has, however, a police ordinance, which Mr. McClatchy quoted, which prohibits not immigrants, but laborers, not only of the Chinese but of all nations, laborers who will practically all become public charges. We have no immigration law excluding any nation.

Has Mr. McClatchy any concrete ground to say that Japan has closed the door of Manchukuo for American goods? I am informed that already certain American firms are active in developing commercial enterprise in Manchuria. Many American automobiles are there already. Some American firms have established branches in the capital of the new state.

Is there any concrete ground to say that Japan has never protested against the exclusion exercised by Australia? Australia has a so-called "Literary Test" for immigrants. The question irritating the Japanese is, not the right to regulate foreign immigration, but the method by which they are excluded. They have no reason to protest the literary test of Australia.

Finally, is there any ground to say that Japan raised the question of racial equality at the Versailles Conference? I was there just after the Peace Conference and I know what happened. As it was explained to President Wilson, the racial equality proposed by the Japanese government at the Peace Conference did not aim at the immigration question.

Japan asked for racial equality to be included in the Covenant of the League of Nations, as the League, we thought, should be the

machinery for permanent peace and justice of the world, which should be based upon the equal treatment of all nations. We made it clear to the Conference that the immigration question was a matter for national legislation.

Remarks by V. S. McClatchy
Executive Secretary, California Joint Immigration Committee

MR. MCCLATCHY: Consul General Wagasuki has apparently partly misunderstood my statements. He is correct in saying that Japan has no exclusion law which keeps out Koreans and Chinese. Japan has an ordinance 352 which was passed to accomplish that by indirection. It gives to those in charge of provinces and territories the right to restrict and deport immigrants considered objectionable.

The best proof of what I say is that Japan does keep out Koreans and Chinese, particularly Chinese. China in 1924 presented for the seventh time her protest against the exclusion of Chinese, and she called attention to the inconsistency of Japan in excluding Chinese while she, at the same time, remonstrated to the United States for excluding Japanese.

The second question related to Manchukuo. I did not say that Manchukuo had declared against the admission of United States goods. What I said was that Manchukuo had already intimated, and it was published in the dispatches, that she probably would close her ports to trade from those countries which did not officially recognize her. That was my statement and that is true.

CONSUL GENERAL WAGASUKI: Where did you see that?

MR. MCCLATCHY: It was published in the newspapers at the time.

CONSUL GENERAL WAGASUKI: I did not see it among my newspaper clippings. Do you believe all that is published in the newspapers?

MR. MCCLATCHY: May I suggest to Consul General Wagasuki that, in our mutual interest, we have a joint scrap book.

As to Australia, I said explicitly that Japan has for many years accepted the Australian law, but I explained that she had protested it originally. I said also that Japan does not now protest any of the laws from English countries which exclude her. That also is true, and I think the Consul General must have misunderstood my statement.

My authority for what occurred at Versailles is Secretary Lansing and others. You will read it in Secretary Lansing's book and in the official minutes of the Conference. It is quite true that in the question of racial equality Japan did not specifically say that she was

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trying to force immigration onto countries that did not want it, but racial equality, as clearly expressed by her at that and other meetings, meant absolutely the same treatment for her nationals by the United States and other countries as accorded to any first class nation. That meant the same treatment for immigrants, the same treatment for land ownership, the same treatment for citizenship. Her writers in Gaiko Fiho, the semi-official organ at Tokio, have explained those things carefully and elaborately.

Remarks by Robert H. Fouke
Attorney

MR. FOUKE: Alleging unfair discrimination under the 1924 immigration act, Japan insists on equal treatment with European nations in immigration matters. She emphasizes the benefits in increased trade and good will that will accrue if her demand is granted.

It is a legal maxim that he who seeks equity must do equity. Yet Japan has refused to permit immigration to Japan of certain of her own Korean subjects and of Chinese. Japan's apparent disregard of treaties, use of armed force, and announced national policies of social equality and unrestricted immigration to undeveloped countries, all serve warning that unless her demands are acceded to, force will be utilized to achieve such demands. Does such conduct justify the application of equitable principles to Japan in immigration matters?

Our present immigration act encourages trade relations with Japan by permitting the entrance into the United States of educators, ministers, merchants and their families, and students, as non-quota immigrants. The only group now barred is the laboring class, and consequently it is the group which would benefit if a quota is granted to Japan. Asiatics eligible to United States citizenship may now enter under the provision granting a minimum quota of 100 to such excluded Asiatic countries.

The principle of sovereignty recognizes the right of each nation to regulate its own domestic matters. Under this principle America has, for more than 140 years, restricted citizenship to white people. Admittedly, immigration is a purely domestic matter; therefore no question of international equity is involved. Principles of equity do not justify the solution of one nation's domestic problems at the expense of a sister nation.

Granting a quota to Japan would create new domestic and international problems. Increased racial difficulties would result from a

grant of quota and make impossible the engendering of a feeling of good will between the peoples of the United States and of Japan. A general Asiatic quota would add even greater problems.

If we granted a quota to Japan our policy could still be attacked as unfair if we did not also grant a quota to other Asiatic countries, to the African negro, and to all other races whose peoples are now barred as ineligible to our citizenship.

The present population of the earth is approximately two billion. Its population carrying capacity is estimated by Sir George Handley Knibbs* to be between thirteen and fourteen billions. If races noted for their prolificacy and low living standards were permitted to emigrate, as Japan advocates, to countries with sparse population and high living standards, it would result in large increases in the earth's population. This would hasten the problems of distribution and other problems incident to the approach to the population carrying power of the earth.

Based on the facts submitted, by opinion is that America's domestic welfare will be furthered by denial of a Japanese quota at this time. America's future welfare is paramount to any claimed benefits of increased trade or good will for any group or class engaged in religious, pacific, trade or business matters.

It is my suggestion that a possible solution of present problems would be the adoption by the nations of the world of an immigration policy based upon a selective and quota basis, designed to encourage the abrogation of legislation against assimilation of races, require an internal solution by each nation of its domestic problems, and the development of a superior race of people in this world of ours.

Such a policy would permit equality of treatment among nations, diminish racial conflicts, and would tend to supplant nationalism by internationalism is world affairs. International peace and welfare would be greatly enhanced under such a policy.

Remarks by E. Clemens Horst
President, E. C. Horst Co., Merchants and Farmers

MR. HORST: Mr. McClatchy made a wonderful presentation against excessive immigration, but he made none against a nominal quota. His big point is tradition. But in 1922, after the immigration quota had been discussed for a long time, Mr. McClatchy wrote me that the point at issue is merely confined to excessive immigration, especially of labor.

*"The Shadow of the World's Future", by Sir George Handley Knibbs.

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The present scheme was not tradition in 1922, nor in 1924 when the law was enacted. A law enacted in 1924 is not tradition.

Mr. McClatchy maintains that the present exclusion act is the only way the matter can be handled. But this very evening several other plans were submitted. A way can be found.

It is said that Canada provides for 400 Japanese and Mr. McClatchy says, "How many more came in?" And he says that they brought in 1400 or 14,000—some large number. In addition he said they brought in their servants. It is unfortunate Mr. McClatchy did not tell how many Japanese went out again. Maybe the same people that came in went out.

As a matter of the record, I would like to say: The vote has been announced showing a majority of one opposed to the quota. According to my theory of counting votes, if the vote had been handled according to Hoyle it would have been just the other way, the majority would have been for the quota.

If unassimilability and culture were a factor in excluding 185 people then we ought not to allow any Japanese to come in for any purpose. The Japanese here should be deported, if race purity can be accomplished by shutting out 185 a year. But what nonsense to talk about race purity when there are now twelve million people in the United States of other than the white race.

I read the representations before the Senate Committee on Immigration. The members were almost unanimously in favor of the quota until the presentation was made of an official document from one California state official to prove that unless the quota was defeated the Japanese would outnumber the Americans in America. It was figured out some way that a few Japanese would out-multiply 125 million people.

The Chairman has been good enough to quote in his report the statement of President Hoover and of the Republican Congress. That might have been much better quoted before the election.

The main thing, after all, is that our country should do right by all countries, including Japan.

Remarks by E. W. Wilson
Investments

MR. WILSON: Without Mr. McClatchy's permission I want to deny for him that he put over such a story with the United States Senate.

There is one thing this country and all countries, I believe, have agreed upon and that is that immigration is a domestic question. The United States can keep out the Asiatics and should do so if it desires to without being called to account by anybody.

Mr. Hume built up a beautiful argument around the manner in which we excluded Asiatics. I think, however, it was stronger than the facts will bear out. It is true that we did bungle the matter. Democracies generally bungle things of that kind. But in this particular issue Japan, above all countries, should not complain of any unfairness we have exhibited towards her. Her contracts are not always kept. Her treaties are not always lived up to, especially in the last ten years.

But the matter is entirely within the confines of this country and its decision must rest here.

Remarks by Howard C. Rowley
Publisher, California Fruit News

MR. ROWLEY: The question tonight revolves entirely around Subdivision C of Section 13 of the 1924 Immigration Act, and that merely provides that we do not allow people to come here for permanent immigration who are ineligible to our citizenship.

Those favoring an immigration quota for Japan stress the probable small number concerned. This is beside the question, as numbers in immigration are not fundamental, but can (and should) change from time to time. The question is one of immigration policy. The real question is whether or not we should build up an Oriental population in this country, whether it be small or large. It should be noted that already there are measures before Congress which would materially alter the number of Orientals as computed under the present procedure.

Practically all advocates of a quota for Japan agree that restriction of Orientals is necessary. Mr. Hume has said in print to the Section that "there is one fundamental point agreed upon by everyone—the necessity for a rigid restriction of Oriental immigration." We have this in the 1924 Immigration Law. It is based upon a theory which ought to be unobjectionable.

How can we restrict Oriental immigration if a quota is granted to those ineligible to citizenship, except by specific exclusion of a particular people? We did that with the Chinese, back in the early 1880's, and it is a brutal and highly objectionable method to pursue. We have now a much better plan. It does not say bluntly to a particular nation that we do not want its people, but it says what sort

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of people in general we want and do not want, and allows that to apply without other discrimination.

I think it is impugning the intelligence of the Japanese when it is suggested that they will be encouraged to trade and cooperate with us, if given a mere immigration gesture of a 185 a year quota. I am sure that the Japanese have more intelligence than that, and accordingly, that that is not the real question.

The gentlemen asking for an immigration quota for Japan appear uninformed, however—Japan already has a quota. As authorized in the proclamation of the President, a minimum quota of one hundred is specifically set down for Japan, as also for China, etc.

It has been argued that if this 185 annual quota were granted, it would be largely made up of white people born in Japan. Mr. Hume says this, too. They already can immigrate into the United States to the extent of one hundred a year—a larger proportion than allowed most other nations, because such people would come under the minimum allowable.

Since the Constitution gives citizenship to all persons born in this country, the only means of avoiding an oriental or colored population of unassimilable peoples here is through exclusion of those not eligible to citizenship in the first generation.

Remarks by Dr. Rodney A. Yoell
Surgeon

DR. YOELL: To synopsize the argument of the proponents for a quota, it is essentially a matter of ethics. It is claimed that an injustice has been done—with a peculiarly crude and violent technique.

The very use of the term "injustice" implies the withholding of a right. Immigration is not a right but a privilege. The fact that immigration is still considered by most nations a privilege has been challenged by the Japanese.

I will agree with Mr. Goldstone that our forbears did come from Asia. But ever since there has been a challenge to Europe and all that Europe stands for by the Asiatics. All that is white is a comparatively thin slice of the globe. And that slice was once reduced by the invasions of the Moors and the Mongolians to a space of white controlled territory not greater than from the Mississippi River to the Golden Gate. That is how close we came to wearing fezzes and red trousers outside of a ritualistic ceremony.

The Japanese attitude is so fixed in the matter of immigration into Japan that it is left within the jurisdiction of the District Chief of Police. The reason that the Japanese have put it on the basis of indigency is that the Japanese know they cannot compete in an economic field with certain other orientals, particularly the Chinese.

Remarks by Harry Kingman
Secretary, University of California Y. M. C. A.

MR. KINGMAN: As a resident of the Orient for a number of years I became familiar with the arguments favorable towards granting a quota to the Japanese. Since my return to this country I have tried to acquaint myself with the arguments against revision of the 1924 immigration law. As a member of the American Legion, I presume that I am supposed to oppose the granting of a quota. On the contrary I am strongly in favor.

I spent enough time in Japan to know how keenly the Japanese feel regarding what they consider a blight on their national honor. Although the American opponents of the quota present certain arguments which stir my feelings, I do not consider them sufficiently significant to be worth the cost which we must pay to maintain the present regulations. They have already cost us much of our influence in the Orient.

And that is only a start. A gentleman who is in close touch with our State Department said recently in a private conversation that, within his knowledge, there had been moments within the past months when we had been on the verge of war with Japan. This may or may not be true. My own experience in the Orient leads me to believe, however, that to maintain our present discriminatory attitude toward the Japanese we must prepare and expect to fight Japan.

It has seemed to me that much of the argument against the quota tonight has been extraneous to the question. Bogies of varying sizes have been pulled out of the hat. Even if they were not irrelevant they have not seemed real to me. If we are dealing in bogies I present one worth thinking about—war with Japan. And when it comes I hope that those Americans responsible for it in large measure, will not ask any but themselves to bear the brunt of it.

Remarks by Gerrard T. January
Master Mariner, State of California

CAPTAIN JANUARY: While the quota might be favored, I think the whole immigration question should be brought up. We have reached the saturation point in America I believe, and we are going to have to keep all foreigners out.

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What this gentleman has just said about the feeling of the Japanese I know to be a fact. As a master on a passenger ship trading with the Orient for many years, I know that the Japanese have been thoroughly stirred up over this matter of immigration. We should bring this issue out in the open. If absolute restriction is imposed upon all nations, the Japanese will have no complaint.

Remarks of Paul Armstrong
U. S. District Director of Naturalization

MR. ARMSTRONG: Mr. McClatchy makes a grave mistake, I think, in singling out the Australian situation as one which bears out his point with reference to the treatment of Japanese there as against their treatment in the United States. It has been pointed out very definitely that the Australian system is not only effective against Japan, but is used against every nation on earth—including Britain. Speaking before the Section, Mr. O'Connor of Australia stated that even those of English birth, if not considered desirable, were barred in the same manner as the Japanese and other orientals were barred. If the United States should throw over the entire world a blanket similar to Australia's, as is suggested under the quota system, Japan would have no exception to that.

I rather agree with Captain January that if, after placing every nation on a quota basis, we excluded everybody, that would probably be the best solution.

I was interested to see Mr. Fouke, a member of the sub-committee that drew up the argument for the status quo, agreeing that selective immigration would be the best solution. I have had considerable experience with the admission to citizenship of aliens, and I see no grave danger to the citizenship or the racial integrity of the United States in admitting to citizenship high class Japanese.

As Mr. Horst points out, one-tenth of our population is not white. To talk about homogeneity is all foolishness. The introduction of 185 or 285 or 585 Japanese per year under a fair quota would be nothing but fair play, and absolutely no danger to us as a nation.

I rather resent the continued use of the suggestion that those people are unpatriotic and have selfish motives who propose that the quota be adopted for Japan.

Remarks by Carlos B. Lastreto
Importer and Exporter

MR. LASTRETO: It has been suggested by some that our procedure has caused such resentment in Japan as would threaten the possibility of war. I would like for you gentlemen to ask yourselves the question, whether this be so or whether it may not rather be that Japan is keeping up this bugaboo so that when the opportune time comes it may have an appropriate pretext for a *causus belli*.

Remarks by B. Grant Taylor
Clerk, Supreme Court

MR. TAYLOR: We are agitating ourselves a great deal over a matter which we all agree is of little importance. Someone has said that it is best to let sleeping dogs lie. If there is only a difference of 185 individuals in twelve months involved in this question, why don't we forget it all and turn our attention to problems directly connected with our internal affairs?

The twelve million colored people among our own citizens, who must be brought up to an American standard, furnish enough problems for us.

It has been suggested that until 1924, and prior to receipt of the Harihana letter, the present system had not been seriously considered. I recall the fact that the Congressman from Santa Clara County, back in 1906 or 1907, told me he believed he had arrived at the proper basis for solution of our Japanese immigration question by putting the test upon eligibility to naturalization. In other words this proposal, finally adopted in 1924, was inspired either then or sooner. Various people probably will claim its origin, but I think Congressman Hayes at that time believed he was the originator of the proposal and in Congress subsequently no doubt he energetically worked for its adoption.

Remarks by Samuel J. Hume
Executive Secretary, California Council on Oriental Relations

MR. HUME: Mr. McClatchy and all those who agree with him have made a chimera of this question of assimilability. Mr. McClatchy admits that *culturally* the Japanese and Chinese are assimilable, but maintains that biologically the Oriental is unassimilable and that consequently he must be rigidly excluded.

As a matter of fact, this question has no real bearing on the question under consideration, for this reason: If we admit that the Chinese and Japanese are both culturally and biologically *unassimilable*, this question could have no importance unless the members of such unassimilable aliens were so great as to constitute a menace to the Occidental society into which they were to be introduced. By the United States Census of 1930 we have in California 37,361 Chinese

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and 97,456 Japanese, giving a total of 134,817 Orientals. The total population of California is 5,677,251, which means that the Orientals in the state constitute approximately only 2.37 percent of the total population, and this discrepancy is increasing each year.

Looked at dispassionately and without bias, it is impossible to see how the addition of 185 Japanese and 105 Chinese per annum to this present population could make any material difference in our Oriental problem, assuming that we have one.

That the immigration act of 1924 is "logical," even its best friends have never dared to claim for it. That it is non-discriminatory is contradicted by its very terms stated in cold blunt language. We all know the law was designed to discriminate against the Mediterranean countries in favor of the countries of North Europe, and the countries of the Mediterranean protested vigorously at the time this law was enacted.

No one claims that we have lost trade through the 1924 law. This is a matter of international justice, sportsmanship and fair play. I am not frightened by the Asiatic bugaboo. If our influence is to be felt in the Far East for peace, stability, and a constructive future, it will be not as a nation suspect of injustice, but as a true, just, tolerant and far-seeing friend.

Mr. McClatchy has disputed my statement of the effect of the Hanihara letter. He stated that a week before the Hanihara letter was introduced a vote was taken which showed that a majority of the Senate favored the exclusion law. He said that the Hanihara letter merely consolidated the opinion already existing. I therefore want to read to you this copy of a letter written by Senator Reed of Pennsylvania to Mr. Fitzpatrick of the United States Chamber of Commerce, dated November 1st, 1932, in answer to a query. It reads as follows:

My dear Mr. Fitzpatrick:

Your letter of October 24th has been forwarded to me here.

I have no hesitation in expressing my confident belief that Japanese exclusion would not have been put into the 1924 Immigration Act if it had not been for the Hanihara letter, although I believe that other Orientals from the barred zone would have been continued to be barred as theretofore. A day or two before the Hanihara letter was received, we had a test vote in the Senate, which on all hands was understood to indicate the sentiment for and against Japanese exclusion. It was on an effort by Senator Shortridge, as I recall it, to reject a committee amendment which would have permitted the coming of Japanese students. No roll call vote was taken, but upon a standing division, the vote appeared to be about two to one against Senator Shortridge's position. For all practical purposes, I was in charge of the bill on the floor of the Senate and I regarded the question as settled. Then the coming of the Hanihara letter upset the whole situation to such an extent that only two votes were cast against the proposal to exclude Japanese.

Faithfully yours,
(Signed) D. A. REED.

Mr. F. Stuart Fitzpatrick, Manager
The Chamber of Commerce of the United States
Washington, D. C.

Remarks by V. S. McClatchy

Executive Secretary, California Joint Immigration Committee

MR. MCCLATCHY: Mr. Hume has suggested that I was perhaps inaccurate in my statement as to the disposition of the Senate at the time the Harihana letter appeared. I have the positive assurance from Senator Pat Harrison, and from ex-Senator J. J. Phelan in his lifetime, that they had taken a personal poll and that they knew what each individual Senator thought and would do on the exclusion measure in particular—and not on a side issue.

It was suggested that we cannot afford, in a matter of this kind, to antagonize one who will be our friend. But the point is to what extent one individual or nation is to abandon its interests and its principles at the request or demand of another, even under covert threat. If we were right in this contention we should stand by it. If we were wrong we should abandon it.

It was conceded by the entire Congress when this matter came up, that the Gentleman's Agreement had proved a failure. It had to be supplanted by some other plan which would be effective without imposing an injustice on Japan. Five plans were proposed. I will indicate why all but one were abandoned.

First, a special exclusion law against the Japanese was discarded without debate as it would have been a direct insult to Japan.

Second, another agreement was discarded at once because the then agreement had proved a failure; also because the agreement, as an executive act, was a direct infringement upon the prerogative of Congress to control immigration; and because it had abandoned our sovereignty in that it had given to Japan an absolute control of our immigration, as any Japanese that presented himself with a Japanese passport was entitled to admission.

Third, a treaty was subject to the same objection, that it was an executive act in violation of the prerogative of Congress. Consistently and persistently the administration did all it could to block any attempt to set aside the Gentleman's Agreement and supplant it by any plan which would be effective. The administration even had Ambassador Shidehara, in conjunction with ex-U. S. Ambassador

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Morris, present a plan which would have been worse than the original agreement. But that movement was stopped.

The fourth plan was the quota, and that had all the influence and arguments behind it possible. A mass of representatives of various organizations, chruches and others were there to present arguments in favor of the quota. As I have told you, the Senate Committee had decided to grant a quota and it was only after a two days' hearing that the committee conceded that was impossible, and that some other plan effective and still fair to Japan must be found.

Of all the plans proposed then or since the only one which met the necessities of the occasion was the exclusion, under a general law, of all those ineligible to citizenship.

Paper by Emil Greenebaum
Social Worker

MR. GREENEBAUM: The arguments of those who oppose granting the quota to Japan are based largely on what they are pleased to call "basic principles" whose abandonment they view with alarm. These are stated as follows: (1) Restriction of desirable immigration to a number which can be assimilated with benefit, or at least, without detriment; (2) Absolute exclusion of that element of unassimilable immigration which is ineligible to citizenship.

The first of these may be accepted as valid but is taken care of as to "number" by our quota law applied under the national origins; and as to "desirability" by consular supervision and the immigration authorities.

The definition of "ineligibility to citizenship" as a basic principle is not acceptable, since citizenship is conferred on persons of every shade and color by virtue solely of the accident of birth within the United States.

What are basic principles?

This question was answered by George Washington, when he said: "Nothing is more essential than that permanent inveterate antipathies against particular nations should be excluded, and that in place of them just and amicable feelings toward all should be cultivated."

The refusal to admit undesirable and unassimilable aliens—whether white or colored—is of the highest importance. As a policy or as a principle, it should and can be applied without discrimination, under the quota, to all nations with whom we have diplomatic relations. Prejudice and racial antipathies have no rightful place in any enlightened and progressive country. Unfortunately we are not

free from those feelings and our native-born citizens of Japanese parentage are not the only group that, as Mr. McClatchy states, "are forced by racial prejudice to confine themselves largely to social contact with their own races"; although as he also says, "there is no question as to their cultural assimilability."

It must appear, therefore, that the alleged basic principles stated as arguments against the Japanese quota are used as a cloak for discrimination based on intolerance and racial antipathy, and are, therefore, not valid as against the proposal to place Japan on a basis of fair and equal treatment with other civilized nations. We should cultivate her "honest friendship" so that her present resentment may give way to good will.

Paper by J. C. Russell
Comptroller, Earl Fruit Co.

MR. RUSSELL: There are two insurmountable objections to the granting of an immigration quota to Japan. Mr. McClatchy, in his arguments opposing a quota, has already enumerated them. These objections are: (1) Ineligibility to citizenship, (2) Non-assimilability.

Supplementary to these principal objections there is one other which, in my opinion, is equally as important. I refer to the right of this nation to decide its purely domestic immigration questions without regard for the delicate sensibilities of other nations. It is high time that the United States lays down its principles and policies for the protection of its own people, and if, unfortunately, they conflict with the ideas of other nations as to the manner in which these policies are applied, it is a matter for regret, but not for retraction.

A provision of the 1924 Immigration Act excludes as immigrants all aliens ineligible to citizenship. Japanese are ineligible for naturalization, notwithstanding the fact that children born in this country of Japanese parents are citizens. The Supreme Court of the United States ruled in the Ozawa case in 1922 (260 U. S. 178), "a Japanese is not of the Caucasian race and, therefore, under Section 2169 of the Revised Statutes he is not entitled to naturalization as a United States citizen." The gist of the decision is that the word "white" is not to be taken in its ethnological sense but in the ordinary interpretation of the word.

The naturalization law as passed in 1790 limited naturalization to free whites only. Shortly after the close of the Civil War when sectional feelings still ran high, the law was amended to include persons of African nativity and persons of African descent (Sec-

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tion 2169, U. S. Revised Statutes). It may, therefore, be said that even if in 1790 no thought was given to the exclusion of the yellow races because they were practically unknown, the same would not apply when the naturalization law was amended to include Africans, for at that time Japan had been opened up to the world and there were already thousands of Chinese in California. It is logical to assume that it was never intended that naturalization should be granted to Asiatics.

The Japanese, for reasons best known to themselves, have maintained a racial purity not approached by any other nationality in the world. It is a rare instance that one hears of a Japanese marrying outside of his race. The example they have set could be profitably emulated by some of the other nationalities of the world. If the United States is ever to become a unified nation it faces the tremendous job of assimilating the various white races within its borders without trying to take in the colored races as well.

There is a school of thought so idealistic in its trend that it professes to believe the admixture of blood of all races is beneficial to mankind. Scientifically the theory may be workable, practically it is not. Those who profess that belief are generally willing that the experiment be made by some other's son or daughter rather than by their own. Japanese are so entirely different in every respect from white people that free intermarriage is out of the question, and assimilation is impossible without free intermarriage. If the assimilation process were in order, which would predominate, the white, or the yellow?

[Upon motion of Robert Fouke, seconded by Howard Rowley, it was moved that the Board of Governors be requested to take a post-card vote of the entire Club membership upon the questions involved in the report of the Immigration Section.

An amendment offered by E. Clemens Horst, and seconded by Captain G. A. January, to the effect that the post-card vote be limited to the question, "Shall we or shall we not allow a quota to Japan?" was defeated.

Thereupon the President put the main question, which was carried without a dissenting vote.]

PRESIDENT JOHNSON: With our thanks to the Section and to the Chairman, Mr. Paul Stinchfield, and to Mr. McClatchy and Mr. Hume, this meeting is adjourned.

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