

1920 Alien Land Law

- ***1920 Alien Land Law*** was ballot initiative to close loopholes
 - Prohibit Issei as guardian of property of Nisei children
 - Prohibit corporation with Issei ownership to buy land
 - Also allow local District Attorney to handle escheats
 - Prohibited any lease of land to Issei
 - If Issei furnished funds and title of land was in anybody else's name, it meant that he was trying to avoid *Alien Land Law* and therefore void and subject to escheat.
- Vote was 668,483 "*For*" and 222,086 "*Against*".
- 1922, California Supreme Court said any father, citizen or alien ineligible for citizenship, can be guardian of his own children

1922 Ozawa Denied Citizenship

- 1906, Citizenship for whites and Africans
- 1910, 420 Issei were US Citizens
- Takao Ozawa

Born 1875, Kanagawa Ken, Japan

Immigrated 1894, 3 years UC Berkeley

Assimilated, Claim skin was white

Will not postpone case, “face of death”

- 1914, Ozawa files for Naturalization
- 1916, lose in US District Court, go Court of Appeal



Takao Ozawa

- Citizenship was solution to Alien Land Law
- Diplomatic, Legislative or Judicial path to Citizenship
- 1917, Japanese Association chose Ozawa as “Test Case”
- G. Wickersham, Pres. Taft’s U.S. Attorney General, Chief Counsel
- 1918, wait until end of WWI
- 1921, wait until after Washington Conference on Arms Limitations
- 1922, U.S. Supreme Court ruled only Caucasian were white

Cable Act

1907 Expatriation Act - Women's citizenship is that of husband

Suffrage Movement – Woman's Right to Vote and Citizenship Independent of Husband's

1922 Cable Act - If woman married a foreigner, her citizenship not affected, except if White or Nisei woman marries an Issei, she loses US Citizenship.

If white woman's marriage ends, she regains US Citizenship.

If Nisei woman's marriage ends, she still lost US Citizenship and can not become US citizen because she is from ineligible race.

Purpose is to discourage white woman from marrying Asian.

Act amended in 1931 so marrying an Asian did not lead to loss of citizenship. ***Cable Act*** repealed in 1936.

1923 Was a Bad Year

California Legislature passed laws to close loopholes in the *1920 Alien Land Law*

- Prohibit Issei as guardian of property of “anybody”.
- Escheat occurred on date of acquiring i.e., retroactively
- Cropping was prohibited.

U. S. Supreme Court; 4 defeats in one week in November

- *Terrace vs. Thompson*; Washington Land Law was constitutional
- *Porterfield vs. Webb**; Ban on leasing was constitutional
- *Webb vs. O’Brien**; Cropping Contracts are illegal
- *Frick vs. Webb**; Issei could not own stock in land companies

Issei stunned by defeat. Severe blow, destroy economic foundation, sense of despair.

* Test Cases initiated by the Japanese Association, *Nihonjinkai*

Dual Citizenship

**Japanese Nationality Law – Children of Japanese are Japanese Citizen.
Thus Nisei are automatically Japanese Citizen – Dual Citizen**

Japan had Army draft.

1916 Amendment

- Nisei < 14, parents could renounce their Japanese Citizenship**
- Nisei 15, 16, child renounce Citizenship themselves**
- Nisei > 17, serve in Japanese Army first, then renounce Citizenship**

1924 Amendment

- Nisei can renounce Citizenship at any age without precondition**
- Nisei had to apply for Japanese Citizenship within 14 days of birth.
Then Dual Citizen**

1924 Immigration Act

- **Allocated quota to each nation based on number of its immigrants in 1880 census. Quota for Japan was 100 per year.**
- **However, Act barred immigration to aliens ineligible to citizenship. Ended immigration from Japan.**
- **“Japanese Problem” was solved.**
- **July 1, “National Day of Humiliation”, *Kokujokubi*.**
- **Reaction in Japan was bitter and angry.**
- **Japanese thought they were superior to Chinese, but no.**
- **Nisei was now the hope of the Japanese immigrant.**

Ethnic Japanese Population on Mainland

Year	Total	Issei	Nisei
1920	111,000	81,500	29,500
1930	138,800	70,500	68,400
1940	126,900	47,300	79,600

WWII; Time to Strengthen Alien Land Law



Tule Lake

- 1942, with Japanese in Camp, Attorney General Earl Warren took 20 parcels of land held by Nisei children of Issei, *in absentia*.
- 1942, Warren touted this in his race for Governor.
- 1943, now Governor Warren expanded *Alien Land Law* to deny Japanese the opportunity to farm as they did before the war.
- 1943, statute prohibit Issei from commercial fishing.
- 1945, Gov. Warren signed 2 bills that facilitated seizure of Nisei owned land.

Earl Warren



Attorney General,, 1939-1943
Governor 1943-1953

- **1940, 1911 U.S. - Japan Treaty was terminated. Warren ruled that Issei could not now own residential or commercial properties.**
- **While Issei were in Camp, California expanded escheat proceedings.**
- **1945, 30 escheat actions begun.**
 - **State won 4 cases**
 - **Two settled for \$100,000 and \$25,000.**
- **1946, 50 Issei sued for their farm land.**
- **1943, "... We don't propose to have the Japs back in California during this war if there is any lawful means of preventing it."**

1946, *Proposition 15*

1920, Voters approve Referendum “*1920 Alien Land Law*”

Since then, Legislature added Amendments to *1920 Alien Land Law* to “close loopholes”.

1946, realize that Legislature cannot amend Referendum. Only Voters can amend Referendum.

1946, *Proposition 15* would approve past legislation to *Land Law*

**JACL assigns Mike Masaoka to lead campaign against Prop 15.
Raise over \$100,000.**

***Proposition 15* defeated. First defeat of anti-Asian referendum.**

1944 *Fred Oyama versus California*

- 1934, Issei Kajiro Oyama bought 6 acres of land for \$4,000 in Chula Vista and deeded it to 6 years old Nisei son Fred.
- 1942, Oyama family incarcerated in Topaz, Utah.
- 1944, while the Oyama's could not return to California, state began escheat proceedings. Oyama lose in Lower Court.
- 1946, California Supreme Court upheld the escheat. Appeal to U.S. Supreme Court.

San Diego Journal—Thurs., Aug. 23, 1945—Page 3

Ready to Appeal Ruling



KAJIRA OYAMA, right, confers with his lawyer, A. L. Wirin, in court yesterday after learning that agricultural land he once operated for his son in the Rancho de la Nacion in Chula Vista will revert in ownership to the state of California.

Jap to Contest Court Decision Returning Land to California

A. L. Wirin, Los Angeles attorney, today prepared to appeal to the State Supreme Court Superior Judge Joe L. Shell's decision in an Alien Land Law case.

Judge Shell yesterday ruled in

Fred Oyama at U.S. Supreme Court

1948, Dean Acheson, Secretary of State (1949-1953) under President Truman, represented Oyama in U.S. Supreme Court. At issue were two main Items in *Alien Land Laws*;

- 1 Deprived citizen Fred Oyama equal protection under laws.
- 2 Denied alien Kajiro Oyama equal protection under laws.

1948, the U.S. Supreme Court over-ruled the California Supreme Court on Item 1 - Fred Oyama cannot be denied privileges of U.S. citizen per *equal protection* clause of the 14th Amendment.

Supreme Court did not rule on Item 2.

1948 Sei Fujii Buys Land

- 1948, Issei Sei Fujii bought land in East LA to test *Alien Land Laws*.
- 1952, California Supreme Court overturn *Alien Land Laws*.



Target of Alien Land Law

Between 1912 and 1946, the California State Attorney General instituted 76 escheat proceeding against “Aliens Ineligible for Citizenship”. There were

- 73 Japanese**
- 2 Chinese**
- 1 India (Hindu)**
- 0 Korean**

No data on escheat proceedings brought by local District Attorneys.

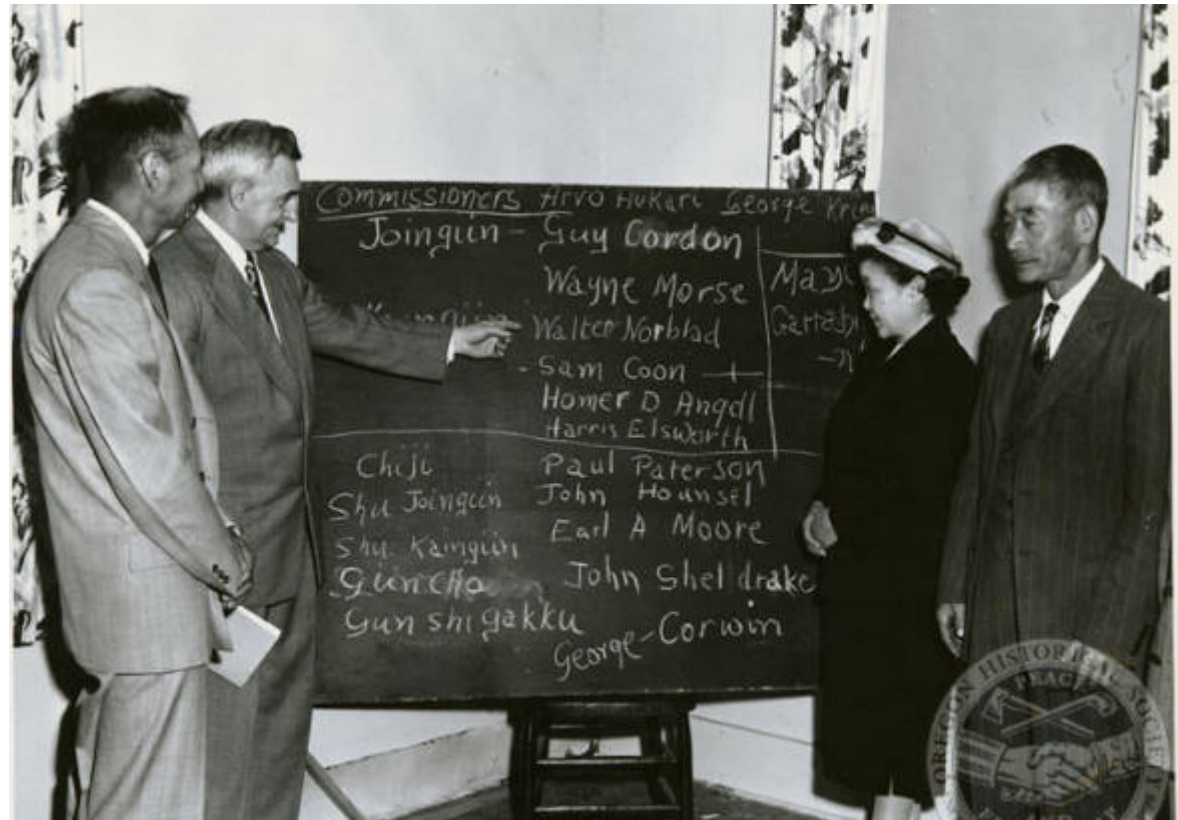
1952 Issei Citizenship

McCarran-Walter Act

- **Everybody can become U.S. Citizen**
- **Immigration quota. Japan allotted 185**

**President Truman claimed
the immigration restriction
was racist and vetoed it.
Veto was over ridden.**

Issei finally can become U.S. Citizen.



Issei Attaining American Citizenship, April 1953

Immigration Act of 1965

From 1885 to 1924

- 200,000 Japanese immigrated to Hawaii
- 180,000 Japanese immigrated to mainland

Immigration Act of 1965 banned discrimination based on race, religion or national origin. Preference given to uniting families and needed workers.

After 1965 more immigrants came from Asian and Latin American than from Europe

Japanese Population in U.S.

Year	Pop.	Year	Pop.	Year	Pop.
<u>1870</u>	55	<u>1920</u>	111,000	<u>1970</u>	591,000
<u>1880</u>	148	<u>1930</u>	139,000	<u>1980</u>	701,000
<u>1890</u>	2,000	<u>1940</u>	127,000	<u>1990</u>	848,000
<u>1900</u>	24,000	<u>1950</u>	142,000	<u>2000</u>	797,000
<u>1910</u>	72,000	<u>1960</u>	464,000	<u>2010</u>	763,000

1956 Voters Repeal *Alien Land Laws*

1956, JACL persuaded California Legislature to put on ballot *Proposition 13* which repeals the *Alien Land Laws*.

Groups such as American Legion, farm groups, labor unions, *LA Times*, both major parties and others that in 1920 supported *Alien Land Law* now supports Proposition 13.

Proposition 13 was approved by over 2.5 million voters in a Two-to-one majority.

State of Washington

- **1921, Washington enacted *Alien Land Law*.**
- **Seattle JACL Chapter Led Repeal Drive**
 - **1960; Repeal Referendum fail**
 - **1962; Repeal Referendum fail**
 - **1964; Set It Out**
 - **1966; Repeal Referendum win**

Florida Still Has *Alien Land Law*

States that enacted *Law* 1913-1926;

California, Arizona, Washington,
Texas, Louisiana, New Mexico,
Idaho, Montana, Oregon and
Florida

States that enacted *Law* during WWII;

Arkansas, Minnesota, Nebraska,
Utah and Wyoming

Florida's *Alien Land Law* is in its
constitution.

2008, citizens of Florida voted
to retain its *Alien Land Law*



Greater Orlando Asian American Bar
Association - *Alien Land Law* Project

100th Anniversary, 1913 Alien Land Law

Issei – The Immigrant Group

- **Racial & economic prejudice**
- **Not feel wanted**
- **No vote, no elective office**
- **Fought back in the courts**

Issei were self selected group

- **Decide to immigrate**
- **Decide to get married**
- **Decide to stay in America**

Legacy of Issei – The Nisei

- **100th/442nd RCT/MIS**
- **Model Citizen**
- **Nisei are respected**



Sociologist say how well a minority population does in the U.S. depends on The Immigrant Group.

Historic Wintersburg Village

Located in Huntington Beach in Orange County

- 1910, Wintersburg Japanese Presbyterian Mission
- 1910, Manse
- 1912, Furuta House
- 1912, Barn

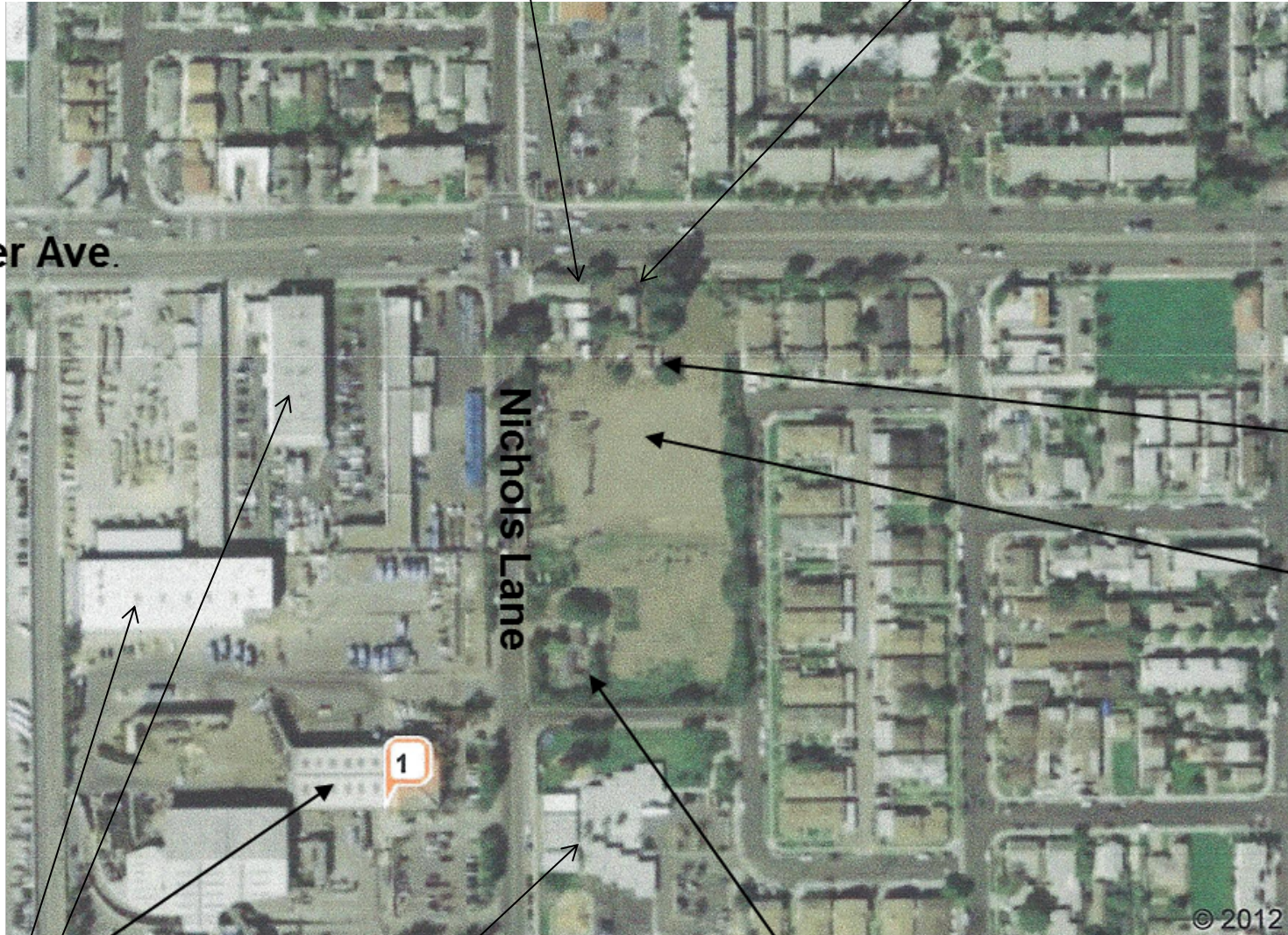


Wintersburg Village and Rainbow

Mission, Manse &
Second Church

Furuta House

Warner Ave.



Barn

Furuta
Farm

Son's House, 1947

School

Rainbow

Tuna Canyon Detention Station



The End