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

- 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 Cable Act repealed in 1936.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

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Issei</th>
<th>Nisei</th>
</tr>
</thead>
<tbody>
<tr>
<td>1920</td>
<td>111,000</td>
<td>81,500</td>
<td>29,500</td>
</tr>
<tr>
<td>1930</td>
<td>138,800</td>
<td>70,500</td>
<td>68,400</td>
</tr>
<tr>
<td>1940</td>
<td>126,900</td>
<td>47,300</td>
<td>79,600</td>
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</table>
• 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.
• 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.
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.

<table>
<thead>
<tr>
<th>Year</th>
<th>Pop.</th>
</tr>
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<tbody>
<tr>
<td>1870</td>
<td>55</td>
</tr>
<tr>
<td>1880</td>
<td>148</td>
</tr>
<tr>
<td>1890</td>
<td>2,000</td>
</tr>
<tr>
<td>1900</td>
<td>24,000</td>
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<td>1910</td>
<td>72,000</td>
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<td>1980</td>
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<tr>
<td>1990</td>
<td>848,000</td>
</tr>
<tr>
<td>2000</td>
<td>797,000</td>
</tr>
<tr>
<td>2010</td>
<td>763,000</td>
</tr>
</tbody>
</table>
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*
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

Son’s House, 1947

School

Rainbow

Furuta Farm

Barn

Warner Ave.
Tuna Canyon Detention Station
The End