

## **"A Cross-Fire between Minorities"**

*Black-Japanese Relations and the Empire Quota in the Postwar Campaign to Repeal Asian Exclusion*

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**ABSTRACT** This article examines the Japanese American Citizens League's (JACL) postwar campaign to secure U.S. citizenship eligibility for first-generation Japanese (*Issei*) as a civil rights effort that brought Japanese Americans into contention with African American and Afro-Caribbean community leaders during the height of the U.S. Cold War in East Asia. At the same time, JACL's disagreements with Chinese Americans and Japanese American liberals precluded any coherent Japanese or Asian American position on postwar immigration policy. The resulting 1952 McCarran-Walter Act formally ended Asians' exclusion from U.S. immigration and naturalization, even as a colonial quota in the law severely restricted black immigration from the Caribbean and galvanized black protest. This episode of black-Japanese tension complicates scholarly understandings of the liberalization of U.S. immigration and naturalization laws toward Asian peoples as analogous with or complementary to black civil rights gains in the postwar years. In so doing, it suggests the need to think more critically and historically about the cleavages between immigration and civil rights law, and between immigrant rights and civil rights. **KEYWORDS** Asian exclusion, immigration, civil rights, Japanese American Citizens League, McCarran-Walter Act, Afro-Caribbean, African American

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In the fall of 1947, President Truman's Committee on Civil Rights issued a report outlining how the U.S. government could better protect the rights of minority communities in America.<sup>1</sup> *To Secure These Rights* framed the problem of American civil rights as "complex" and multi-racial in scope, condemning injustices facing persons of African, Asian, Mexican, and Native descent. Among these grievances, it described the plight of "ineligible aliens" whose "race or national origin" permanently barred them from U.S. citizenship. Such immigrants, the committee wrote, possessed "all the attributes

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1. The President's Committee on Civil Rights had fifteen members, including former state officials, academics, community and labor leaders, civil rights activists, religious leaders, and businesspersons.

necessary for American citizenship”—they were hard-working, law-abiding, and devoted to family—yet remained unable to naturalize. The majority of those affected were first-generation Japanese immigrants, or *Issei*. Drawing at length from the testimony of a Japanese American veteran of World War II, the committee’s report recounted the plight of a Japanese immigrant mother who had sent five U.S. citizen sons to war, where together they had earned “over thirty individual decorations and medals.” Her sacrifices for the United States notwithstanding, she remained unable to become a U.S. citizen under racially restrictive naturalization laws. As an “alien ineligible to citizenship,” she was further prohibited from owning or leasing agricultural land under California’s Alien land laws. Among its final recommendations, the committee called for the restructuring of federal naturalization laws to “permit the granting of citizenship without regard to the race, color, or national origin of applicants” as a prime way to address these inequities.<sup>2</sup>

In proposing naturalization reform as an element of civil rights, *To Secure These Rights* adopted the logic of a campaign formally launched by the Japanese American Citizens League (JACL) earlier that year to secure U.S. citizenship eligibility for *Issei*. Not coincidentally, the “Japanese American veteran” cited in the report but never actually named was the JACL’s Washington lobbyist, Mike Masaoka. By the time the report was published, Masaoka, the chair of the JACL’s Anti-Discrimination Committee, had partnered with Rep. Walter Judd (R-Minn.) to introduce the Judd bill removing race-based restrictions in U.S. immigration and naturalization law.<sup>3</sup> From the JACL’s Washington, D.C., office, which doubled as the front room of the apartment he shared with his wife Etsu, Mike Masaoka and other league leaders deployed the logics of civil rights, martial patriotism, and Cold War geopolitics to make the case for the general repeal of Asian exclusion. Their efforts bore fruit five years later with the Judd bill’s incorporation and enactment as part of the McCarran-Walter Act of 1952.

An ambivalent victory, the 1952 McCarran-Walter Act is best known for strengthening the power of the U.S. government to detain, denaturalize, and deport suspected subversives.<sup>4</sup> Under its security provisions, scores of

2. U.S. President’s Committee on Civil Rights, *To Secure These Rights* (Washington, D.C.: U.S. Government Printing Office, 1947), 13–14, 32–33.

3. Mike Masaoka could technically claim to be a “veteran” by dint of having volunteered for service with the 442nd Regimental Combat Team during World War II, but he never served in combat.

4. It is worth noting that much of the 1952 McCarran-Walter Act’s national security provisions, including those related to deportation, remains good law today.

foreign-born Asians, Europeans, and others faced deportation orders and regular state harassment. This article focuses on the Act's less-discussed immigration and naturalization provisions.<sup>5</sup> They realized the recommendations of the President's Committee on Civil Rights five years after its dissolution by formally ending America's policy of Asian exclusion, even if in ways more symbolic than numerically significant. The newly created Asia-Pacific Triangle system allotted small—between just 100 and 185 persons—race-based immigration quotas to each Asian power east of Iran and north of Australia, and struck down all racial restrictions to U.S. citizenship, making Issei eligible to naturalize for the first time in American history.<sup>6</sup> On these grounds, many congressional proponents of the measure declared it a victory for Japanese Americans. And indeed, over the decade following its passage, more than sixty thousand Japanese immigrants became U.S. citizens under its provisions.<sup>7</sup> The Act was also a win for the JACL, reaffirming its role as a liaison between the Japanese American community and the federal government. It further ingratiated the league with the legislation's co-sponsors, Rep. Francis Walter of Pennsylvania and Senator Patrick McCarran of Nevada, two of the most powerful lawmakers on postwar Capitol Hill. It was on these grounds that JACL historian Bill Hosokawa later described the passage of the 1952 McCarran-Walter Act as the league's "greatest legislative triumph."<sup>8</sup>

As an early test of the Truman Civil Rights Committee's capacious and multi-racial vision, however, the campaign leading to the 1952 Act was a failure. In framing the fight for Issei citizenship as a civil rights issue under the jurisdiction of Congress, JACL leaders and their allies ventured into

5. Work on the McCarran-Walter Act tends to focus on its deportation and naturalization provisions. Notable exceptions include Charlotte Brooks, *Between Mao and McCarthy: Chinese American Politics in the Cold War Years* (Chicago: University of Chicago Press, 2015), 93–97 and Ellen D. Wu, *The Color of Success: Asian Americans and the Origins of the Model Minority* (Princeton: Princeton University Press, 2013), 98–100.

6. The 1952 Act also imposed an annual ceiling of 2,000 on immigration to the United States from the Asia-Pacific Triangle as a whole.

7. The impact of the annual immigration quota was less dramatic for Japanese Americans, insofar as the vast majority of the forty-five thousand Japanese who immigrated to the United States between 1952 and 1960 did so as the spouses of U.S. citizens and thus outside of the annual quota provision. A majority were GI brides and 86 percent were female. Figures taken from William R. Tamayo, "Asian Americans and the McCarran-Walter Act," in *Asian Americans and Congress: A Documentary History*, ed. Hyung-Chan Kim (Westport, Conn.: Greenwood Press, 1996), 346.

8. Bill Hosokawa, *JACL: In Quest of Justice* (New York: William Morrow and Company, 1982), 293.

a national conversation already dominated by established black constituencies like the National Association for the Advancement of Colored People (NAACP) several years before the Supreme Court decision in *Brown v. Board of Education of Topeka* (1954) helped launch the African American Civil Rights Movement, as traditionally periodized.<sup>9</sup> Between 1947 and 1952, Japanese American, Chinese American, and black lobbyists converged on Capitol Hill, where they competed for a limited supply of official goodwill in the face of opposition to both immigration reform and black rights from a similar bloc of southern Democrats and conservative Republicans.<sup>10</sup> In light of the Chinese Communist victory and the Korean War, the postwar immigration debates emerged as a site where Japanese Americans' racialization as "direct extensions" of people in U.S.-occupied Japan increased their political leverage, albeit in highly circumscribed ways.<sup>11</sup> Even as JACL's conflict with Chinese Americans and liberal camps within the Japanese American community ultimately precluded any coherent *Japanese* or *Asian American* position on postwar immigration policy, the JACL's prominence in the Judd and McCarran-Walter campaigns reminds us that repeal was primarily a product of assimilationist or accommodationist, not radical, politics within Asian America.<sup>12</sup>

Scholarship situating Asian American activism in relation to black activism has focused on moments of cooperation between black and Japanese Americans as they fought for equal access to housing and employment in California as well as in congressional campaigns for anti-lynching laws in Washington, D.C.<sup>13</sup> These solidarities tended to be short-lived, forged

9. Much excellent scholarship has challenged this periodization. See, for example, Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *The Journal of American History* 91, no. 4 (2005): 1233–63.

10. For more on this coalition, see Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton: Princeton University Press, 2002), 177–79.

11. Cindy Cheng, *Citizens of Asian America: Democracy and Race During the Cold War* (New York: New York University Press, 2013), 4. Also see Madeline Y. Hsu and Ellen D. Wu, "'Smoke and Mirrors': Conditional Inclusion, Model Minorities, and the Pre-1965 Dismantling of Asian Exclusion," *Journal of American Ethnic History* 34, no. 4 (2015): 43–65.

12. For more on the importance of studying political moderates within communities, see Brooks, *Between Mao and McCarthy*, 3–5; Carol Anderson, *Bourgeois Radicals: The NAACP and the Struggle for Colonial Liberation, 1941–1960* (New York: Cambridge University Press, 2014), 3–9.

13. Mark Brilliant, *The Color of America Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941–1978* (New York: Oxford University Press, 2010); Shana Bernstein, *Bridges of Reform: Interracial Civil Rights Activism in Twentieth-Century Los Angeles* (New York: Oxford University Press, 2010); Charlotte Brooks, *Alien Neighbors, Foreign Friends: Asian Americans, Housing, and the Transformation of Urban California* (Chicago: University of Chicago Press, 2009);

around immediate concerns without leading to lasting coalition. As historian Mark Brilliant notes, situating African and Asian Americans within a broader, multi-racial history of civil rights activism reveals how the “different axes of discrimination” the various groups experienced necessitated “different avenues of redress.”<sup>14</sup>

This article examines the rift that campaigns for repeal created between black and Asian American activists in Washington, D.C., during the early Cold War years. In taking up this little-studied episode, this article corrects a widely held view of the postwar liberalization of U.S. immigration and naturalization policies toward Asians and the passage of civil rights gains for black Americans as complementary developments. Observers have paired the two causes based on apparent similarities, including the pivotal role of white advocates, the power of Washington’s anticommunist fears to create political opportunities for change, and the largely nominal or symbolic nature of the victories they achieved.<sup>15</sup> In fact, the addition of a colonial quota to legislation repealing Asian exclusion pitted JAACL leaders against a diverse opposition of African American and Afro Caribbean activists beginning in 1949. Congressional lawmakers readily disregarded black voices, U.S.- and foreign-born alike, within the immigration debate. In part, this lack of attention reflected black Americans’ history of limited engagement with U.S. immigration policy.<sup>16</sup> It also suggests how the

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Lon Kurashige, *Japanese American Celebration and Conflict: A History of Ethnic Identity and Festival, 1934–1990* (Berkeley: University of California Press, 2002); Scott Kurashige, *The Shifting Grounds of Race: Black and Japanese Americans in the Making of Multiethnic Los Angeles* (Princeton: Princeton University Press, 2008); and Greg Robinson, *After Camp: Portraits in Midcentury Japanese American Life and Politics* (Berkeley: University of California Press, 2012). For more on the World War II years, see Matthew Briones, *Jim and Jap Crow: A Cultural History of 1940s Interracial America* (Princeton: Princeton University Press, 2012).

14. Brilliant, *The Color of America Has Changed*, 14, 30, 54, 61.

15. These include (in chronological order) John Hayakawa Torok, “‘Interest Convergence’ and the Liberalization of Discriminatory Immigration and Naturalization,” *Chinese America: History & Perspectives*, January 1995: 1–28; Gabriel J. Chin, “The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965,” *North Carolina Law Review* 75 (1996): 273–345; Michael G. Davis, “Impetus for Immigration Reform: Asian Refugees and the Cold War,” *Journal of American-East Asian Relations* 7, no. 3/4 (1998): 127–56; Daniel J. Tichenor, *Dividing Lines*, 178.

16. Despite a growing contingent of foreign-born black immigrants, with few exceptions, blacks were marginalized within major immigration debates before World War II. The 1924 and 1929 Immigration Acts left peoples of African descent out of the calculations of the national origins quota system. David J. Hellwig, “Black Leaders and United States Immigration Policy, 1917–1929,” *Journal of Negro History* 66, no. 2 (1981): 110–27; Jeff Diamond, “African-American Attitudes towards United States Immigration Policy,” *The International Migration Review* 32, no. 2 (1998): 451–70.

divergent racialization of black activists as American and Asian Americans as proxies for Asian audiences worked to amplify Asian voices at the height of the U.S. Cold War in Asia.<sup>17</sup> One consequence was that the postwar immigration debates created a zero-sum rather than a joint effort for mutually beneficial goals.

#### JAPANESE AMERICANS AND THE STRUGGLE FOR U.S. CITIZENSHIP

Japanese Americans' struggles for U.S. citizenship have a long history. Asians were historically ineligible under federal naturalization laws that limited U.S. citizenship to "free white persons" and, after the Civil War, to whites and "persons of African nativity and descent."<sup>18</sup> Some Asian petitioners were able to naturalize with the permission of sympathetic judges, but Supreme Court decisions ruling Japanese and Indians racially ineligible for citizenship in the *Ozawa* and *Thind* cases foreclosed this possibility in the early 1920s.<sup>19</sup> The 1924 Immigration Act consolidated this ban, codifying in federal law the status of all foreign-born Asians as "aliens ineligible to citizenship," and on this basis, making them ineligible for permanent entry into the United States.<sup>20</sup> Repeal bills passed during and immediately after World War II exempted groups on a piecemeal basis, giving U.S. citizenship eligibility and nominal annual immigration quotas (ranging from

17. This points builds, in part, upon the work of Kevin Gaines and Ellen D. Wu on foreign reception of African American and Chinese American goodwill ambassadors dispatched by the U.S. State Department during the Cold War. While U.S. officials sought to downplay or discourage African Americans' investment in any broader diasporic, transnational, or internationalist identities, for Chinese Americans like Jade Snow Wong, their value as American ambassadors lay precisely in their presumptive transnational identities as "Overseas Chinese." In contrast with Gaines and Wu, whose concern was how racialized U.S. actors were perceived abroad, this article is interested in the domestic reception of black and Asian American lobbyists by U.S. lawmakers and officials in Washington, D.C. Ellen D. Wu, "America's Chinese': Anti-Communism, Citizenship, and Cultural Diplomacy during the Cold War," *Pacific Historical Review* 77, no. 3 (2008): 394–95; Kevin Gaines, *American Africans in Ghana: Black Expatriates and the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2006), 25.

18. Naturalization Act of 1790 (1 Stat. 103); Naturalization Act of 1870 (16 Stat. 254). Native peoples were given U.S. citizenship eligibility in 1924. Mexicans were able to naturalize in most U.S. courts during this time, as they were generally considered racially white.

19. *Takao Ozawa v. United States*, 260 U.S. 178 (1922); *United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923). For more on these cases, see Ian Haney Lopez, *White by Law: The Legal Construction of Race* (New York: NYU Press, 1997).

20. For more on the legal origins of the term in state anti-miscegenation laws, see Deenesh Sohoni, "Unsuitable Suitors: Anti-Miscegenation Laws, Naturalization Laws, and the Construction of Asian Identities," *Law & Society Review* 41, no. 3 (2007): 587–618.

approximately 100 to 107) to Chinese, Indians, and Filipinos.<sup>21</sup> But the general racial bar on naturalization remained, and by the late 1940s, Japanese (along with Koreans) were the largest group of ineligible aliens, with more than eighty thousand Issei still unable to claim U.S. citizenship on racial grounds.

JACL's championing of Issei citizenship rights was consistent with its history as an organization. U.S. citizenship had been central to the group's identity and mission since its formation in 1930. While it maintained relationships with Issei organizations, the league restricted its own membership to *Nisei*, second-generation Japanese Americans who had citizenship by dint of their U.S. birth; this policy was a strategic move intended to bolster the organization's legitimacy through an embrace of Americanism. In the 1930s, JACL helped win U.S. citizenship eligibility for five hundred Asian veterans of World War I. During the Second World War, the organization proclaimed a commitment to 100 percent Americanism and wartime patriotism. Its cooperation with U.S. state officials in Japanese Americans' wartime incarceration helped JACL's leaders forge close relationships with U.S. officials, who—rightly or wrongly—came to regard the league as the main mouthpiece for the Japanese American community. At the same time, its close ties with U.S. government made JACL a target of controversy. Even after the incarceration camps were closed, many younger *Nisei*, the league's target membership pool, continued to denounce its “selfish” ways.<sup>22</sup>

The postwar campaign for Issei citizenship originated at JACL's 1946 annual convention, where one of the league's founders proposed taking up

21. The prominent role of the Japanese American Citizens League (JACL), an ethnic American organization, in the Japanese repeal campaign distinguished it from previous repeal efforts, which featured active and sustained participation by Asian governments. While there was a longstanding desire among Japanese officials and people for the repeal of Japanese exclusion, by the postwar period Japanese advocates were not well positioned to lobby U.S. Congress from occupied Japan. See Izumi Hirobe, *Japanese Pride, American Prejudice: Modifying the Exclusion Clause of the 1924 Immigration Act* (Palo Alto: Stanford University Press, 2001). Attempts by American supporters to solicit endorsements for the legislation from supreme commander for the allied powers General Douglas MacArthur likewise failed. See, for example, Yukiko Koshiro, *Trans-Pacific Racisms and the U.S. Occupation of Japan* (New York: Columbia University Press, 1999), 34–36, fn 44.

22. See, for example, a 1942 War Relocation Authority report, cited in Paul Spickard, “The *Nisei* Assume Power: The Japanese American Citizens League, 1941–1942,” *Pacific Historical Review* 52, no. 2 (1983): 169.

the issue to help the organization regain the trust of the Japanese American community as a whole; according to Dr. Thomas Yatabe, winning citizenship rights for the elderly generation would provide “concrete evidence” of the League’s efficacy and legitimacy.<sup>23</sup> The League’s national board agreed; it created the Anti-Discrimination Committee (ADC) to carry out the task in Washington, D.C., and appointed Masaoka, a thirty-two year old Nisei, as its head. While JACL’s membership remained small during and immediately after World War II, the League’s apparent clout with U.S. officials commanded the respect of some Issei elders, who saw JACL as their best hope to secure U.S. citizenship eligibility. This dynamic produced a situation in which a small handful of Nisei championed the public campaign, while first-generation Issei donors supplied much of the funding.<sup>24</sup>

No Asian American figure was more important to the postwar repeal movement than Masaoka. Like the JACL as a whole, however, he was a polarizing force. Born in Fresno, California, but raised in Salt Lake City, site of the JACL’s headquarters after World War II, Masaoka was twenty-six years old when the Japanese attacked Pearl Harbor in 1941 and the mass round up and evacuation of Japanese Americans began. As the JACL’s newly appointed national secretary, he evaded incarceration and became the leader most closely associated with the league’s decision to cooperate with the War Relocation Authority. Masaoka and the JACL also cooperated with the government’s decision to draft Nisei into the U.S. military from the incarceration camps. Although controversial within the community, through his work he became one of the most widely recognized Japanese Americans on Capitol Hill which made him an ideal choice for the JACL’s first permanent Washington lobbyist. Masaoka arrived in the capital in January 1947, fresh from leading the League’s successful defeat of a California proposition to strengthen the state’s Alien Land Law denying Issei farmers the right to own agricultural land. The symbolic nature of the victory, which preserved the intent of the Alien Land Law even as it kept it out of the state constitution,

23. Dr. Thomas Yatabe, quoted in Hosokawa, *JACL: In Quest of Justice*, 196.

24. *Issei* continued to support the JACL out of recognition for the influence and support the organization had cultivated among state officials at the local and national levels. Many saw the League as their best chance to win U.S. citizenship in their lifetimes. Issei support was critical to the JACL; during this low point in dues-paying membership, Issei dollars and donations sustained JACL as an organization and made the JACL-ADC’s Washington office and activities possible. At the same time, the prominence of Issei donors also led to some internal disagreements over strategy and leadership of the Washington campaign.

strengthened the JACL's resolve to change federal naturalization law and thereby stop anti-alien discrimination at its source.<sup>25</sup>

Masaoka found a willing partner in House Republican Walter Judd, a former medical missionary to China turned congressman from Minnesota. Judd had a longstanding interest in overturning exclusions against Asian peoples and had been heavily involved in the World War II campaign to repeal Chinese Exclusion during the first year of his term; indeed, Judd cited his desire to overturn the Asian exclusion laws as one of the main reasons he sought elected office in in the first place.<sup>26</sup> Judd sponsored the general immigration and naturalization measure, also known as the Judd bill, in the House beginning in 1947. Amid Washington's growing preoccupation with combatting communism in East Asia after the war's end, Judd's widely recognized foreign policy expertise made him an ideal spokesperson to lobby for immigration reform toward Asia as critical to U.S. Cold War policy. From 1947 through 1952, Judd, together with former U.S. Ambassador to Japan Joseph Grew and members of the U.S. State Department, honed geopolitical appeals describing the legislation's promise to further U.S. containment goals in East Asia by removing the racial stigma of the United States' Asian exclusion laws and bringing its "deeds into harmony with our words."<sup>27</sup>

By contrast, the JACL focused its petitions on domestic considerations, particularly how Japanese Americans' military service and bodily sacrifice had earned Issei the right to U.S. citizenship. Representing the league at the Judd bill's first hearing before a House immigration subcommittee in the spring of 1948, Masaoka emphasized the exceptional loyalty and unswerving belief in

25. Amid the anti-Japanese fervor of the war, state officials and legislators in California and ten other west coast states looked to strengthen enforcement of Alien Land Laws designed to deprive Asian-born farmers of their access to agricultural land. In 1944 and 1945, the California Attorney General's office opened fifty-five cases of land escheat; virtually all involved Issei during their wartime internment. Many of these cases were still pending after the war's end. Brilliant, *The Color of America Has Changed*, 38.

26. The 1947 Judd bill resembled an immigration measure Walter Judd first drafted in 1943 but then scrapped because the war with Japan rendered it politically untenable; the mere suggestion that such a bill would allow Japanese immigration into the United States at a time when the two powers were at war made it a non-starter. For more on Judd, see Lee Edwards, *Missionary for Freedom: The Life and Times of Walter Judd* (St. Paul, Mn: Paragon House Publishers, 1990), 48–94; and Tony Ladd, "Mission to Capitol Hill: A Study of the Impact of Missionary Idealism on the Congressional Career of Walter H. Judd," in Patricia Neils, ed., *United States Attitudes and Policies Toward China: The Impact of American Missionaries* (New York: M. E. Sharpe, Inc., 1990).

27. U.S. Senate Committee on Judiciary, *Naturalization of Asian and Pacific Peoples. Volume 1: Hearings on H.R. 199*, 81st Cong., 1st sess., 1949, 12.

the “American way” that Nisei soldiers had exhibited in their decisions to volunteer for military service; other Americans should “try volunteering” from “barbed-wire concentration camps,” he remarked.<sup>28</sup> According to historian Ellen D. Wu, the JACL came to practice a distinctly “*racialized* martial patriotism” after World War II that reproduced Japanese Americans’ “racial dissimilarity” and “otherness” to advance organizational goals, including immigration reform. This strategy allowed the group to retain its perceived standing in the eyes of white Americans as the “racial spokesorganization” that represented the interests of all Japanese Americans.<sup>29</sup> JACL’s use of martial patriotism dated earlier, to the 1930s campaign for the Nye-Lea Act (1935). Critical to that legislation’s success, Lucy Salyer argues, was Japanese veteran and JACL member Tokie Slocum’s ability to disentangle Asian immigration and naturalization eligibility and thereby win support from the otherwise nativist American Legion.<sup>30</sup> Given its success in the previous effort, it was not surprising that JACL would attempt to use both strategies—martial patriotism and an emphasis on naturalization—in this campaign.

In campaigning for the Judd bill, the JACL’s Masaoka relied on a logic of derivative rights. He argued that the martial citizenship and bodily sacrifices of second-generation Japanese American citizen-soldiers on the battlefields of World War II had earned U.S. citizenship for the older generation of Issei, a group that included but was not limited to the parents of Nisei citizen-soldiers. Echoing the JACL’s larger public relations campaign focusing on the contributions of Japanese pioneers to America, he humanized individual Issei with stories of their resilience and tenacity in pursuit of financial and familial stability. At House and Senate committee hearings on the Judd bill in 1948 and 1949, Masaoka used the language of maternal loss to describe his own mother’s sacrifice through the death of one son on the battlefield and the crippling leg injury of another.<sup>31</sup> He explained, “German bullets did not swerve simply because we were Japanese Americans and our parents were ineligible to citizenship. . . . I think we children of these people who are

28. U.S. House Judiciary Committee, *Providing for Equality under Naturalization and Immigration Laws*, 80th Cong., 2nd sess., 1948, 118.

29. For the most comprehensive analysis of the JACL’s martial patriotism strategy, see Wu, *The Color of Success*, 73–110, esp. 73–75. The U.S. War Department and military actively participated in Nisei soldiers’ public rehabilitation. Takashi Fujitani, *Race for Empire: Koreans as Japanese and Japanese as Americans during World War II* (Berkeley: University of California Press, 2011), 206–36.

30. Lucy E. Salyer, “Baptism by Fire: Race, Military Service, and U.S. Citizenship Policy, 1918–1935,” *The Journal of American History* 91, no. 3 (December 2004): 871.

31. See also Wu, *The Color of Success*, 98.

ineligible for citizenship proved that we belonged. We now want our parents to belong.” The “real conviction and faith in the American way” these soldiers had expressed, Masaoka testified, were ultimately a credit to their first-generation immigrant parents; “parents who can produce children like that, Mr. Chairman . . . are true Americans and naturalization should be granted them.”<sup>32</sup> By bringing the military sacrifices of Nisei to bear on the rights of their parents’ generation, Masaoka thus articulated the JACL’s belief that the rights of first-generation immigrants were fundamentally connected to those of their citizen children.<sup>33</sup> In doing so, he framed passage of the Judd bill as a matter of Japanese Americans’ collective civil rights—immigrant and U.S.-born citizen alike. Masaoka won some lawmakers over. Using similar logic, he helped secure several legislative victories for Japanese Americans in just a few years, causing *Reader’s Digest* to dub him “Washington’s Most Successful Lobbyist” for his unmatched record of success.<sup>34</sup> After hearing the Nisei lobbyist speak at a Congressional hearing, one lawmaker was overheard to exclaim, “By God, that little fellow really was giving us a lecture on the meaning of democracy. . . . I began to see the Japanese Americans for the first time, as people just like anyone else.”<sup>35</sup>

But the same conservative coalition of Southern Democrats and Western Republicans that blocked civil rights measures for black Americans through the late 1940s also stymied the Judd bill. Using his position as chair of an immigration subcommittee, Nevada senator Patrick McCarran worked with his bloc to stall the bill’s progress in the Senate; his seniority gave him great influence.<sup>36</sup> Similarly, despite the overwhelmingly positive tenor of the Judd bill’s 1948 hearing—a spokesperson for the American Legion was the only witness to oppose its passage—McCarran collaborated with

32. *Providing for Equality under Naturalization and Immigration Laws*, 120–21. Citing his concurrent position as the legislative director of the American Legion for the state of Utah, Masaoka further challenged previous testimony offered by Harry Hayden, Jr., the American Legion’s national legislative representative, in which Hayden recounted several incidents of espionage undertaken by Japanese Americans during the war.

33. The author thanks Cindy Cheng for pointing out this connection.

34. These included the Wartime Evacuation Claims Act, which marked the federal government’s first attempt to compensate the losses suffered by Japanese internees during the war, and an amendment to the War Brides Act that allowed Japanese military brides to enter the United States despite the racial bar on Japanese immigration. Alfred Steinberg, “Washington’s Most Successful Lobbyist,” *Reader’s Digest*, May 1949, 125–29.

35. Bill Hosokawa, “MASAOKA: Nisei of the Year,” *Pacific Citizen*, December 23, 1950, 7.

36. Until his death in 1954, Patrick McCarran was widely regarded as one of the most powerful lawmakers on Capitol Hill.

Southern members of the House Judiciary Committee to table the measure for the rest of the year.

### "A CROSS-FIRE BETWEEN MINORITIES"<sup>37</sup>

By the time the Judd bill was reintroduced in March 1949, Section 3 had been revised in ways that threatened to undo the gains of the Chinese Alien Wives of American Citizens Act (1946), whose passage Chinese American activists had won after two decades of advocacy.<sup>38</sup> Specifically, the amendment proposed to end the right of alien Chinese wives of U.S. citizens to enter the country as non-quota immigrants exempt from China's annual quota of 105.<sup>39</sup> The two organizations whose work had been most critical to securing that right—the Chinese American Citizens Alliance (CACA) and the Chinese Consolidated Benevolent Association (CCBA)—rapidly mobilized, organizing an effective bicoastal opposition that got the provision removed within just a few months.<sup>40</sup> In the spring of 1949, they dispatched a sixteen-member delegation to Washington, to consult with members of Congress directly.<sup>41</sup> They also sent several spokespersons to address the

37. Phrase taken from Willard Townsend, "The Judd Bill and How It Affects Asiatics," *The Chicago Defender*, June 25, 1949, 7.

38. The Magnuson Act, or Chinese Exclusion Repealer, of 1943 gave China a race-based immigration quota along with citizenship eligibility for persons of Chinese descent. Building on wartime momentum in the aftermath of Chinese Exclusion repeal, Chinese Americans won special legislation in the form of the Chinese Alien Wives of American Citizens Act (1946), under which 2,317 Chinese women were able to join their U.S. citizen husbands in America. These women joined the more than 5,132 Chinese war brides who entered the United States under the original War Brides Act of 1946. Xiaojian Zhao, *Remaking Chinese America: Immigration, Family, and Community, 1940–1965* (New Brunswick: Rutgers University Press, 2002), 80.

39. The offending passage stipulated that alien wives of U.S. citizens would be counted as quota immigrants if they came from countries with an annual quota of 200 or less, in effect reversing the gains of the 1946 law.

40. As early as 1930, Y.C. Hong and other Chinese American Citizens Alliance (CACA) leaders were instrumental in securing an amendment to the 1924 Immigration Act that allowed Chinese alien wives married before May 26, 1924 to enter the United States by exempting them from the 1924 Act's racial bar on all Asiatic immigration.

41. According to Brooks, this decision reflected a change of heart. Members of both organizations had initially supported the Judd bill, but upon realizing its detrimental impact to their own interests, Chinese Americans in New York and San Francisco formed committees and began calling for changes to the legislation. In San Francisco, the committees included representatives from at least four organizations, including the Chinese Chamber of Commerce and the Chinese War Veterans Association, along with the CCBA and CACA. Zhao, *Remaking Chinese America*, 26–27; Brooks, *Between Mao and McCarthy*, 124–26.

Senate immigration subcommittee at its hearing on the amended Judd bill that July.

Three months before a Chinese Communist victory birthed the People's Republic of China, the hearing featured Chinese American witnesses deploying the logic of martial patriotism to different ends. Their statements reflected an awareness of recent legislative victories by Japanese Americans using similar strategies. Also apparent was their belief that if JACL could successfully leverage the military sacrifices and bravery of Japanese American citizen-soldiers into legislative gains, Chinese Americans should be able to do the same. Edward Hong of the New York and New England CCBA cited Chinese Americans' military service to defend veterans' "right of companionship." His words suggested a fear that the JACL's accounts of Nisei military service and bravery in segregated units like the 442nd would overshadow the contributions of Chinese American soldiers. Ethnic Chinese soldiers may have been "assigned to random units based upon their ability and capacity," he explained, but their courage was no less than that of Japanese Americans in Nisei-only units, even if it was harder to isolate.<sup>42</sup> A lawyer and naturalized citizen, Hong went on to describe his own military service during World War II, which included having attained the rank of major while serving in the South Pacific.

For his part, Y.C. Hong of the California-based CACA challenged the justice of prioritizing Issei citizenship eligibility over the rights of Chinese American citizens.<sup>43</sup> Speaking next at the 1949 hearing, Hong maintained that the U.S. government's "first duty is to our own citizens," including the more than twelve thousand Chinese American soldiers who had served in World War II. They had a "natural" right, like that of every American citizen, to life together with their wives. Preventing them from doing so "violated" the "sacredness of the American home and the unity of the American family."<sup>44</sup>

42. Senate Committee on Judiciary, *Naturalization of Asian and Pacific Peoples, Volume 1: Hearings on H.R. 199*, 81st Cong., 1st sess., 1949, 177. Japanese American soldiers in the segregated 442nd and 100th military battalions were some of the most highly decorated in U.S. military history.

43. Founded in 1895 by second-generation, U.S.-born Chinese Americans, the CACA was arguably JACL's closest analogue in the Chinese American community. Like JACL, it limited membership to U.S. citizens, positioning U.S.-born Chinese Americans as the rightful spokespersons for the community. Sue Fawn Chung, "Fighting for Their American Rights: A History of the Chinese American Citizens Alliance," in K. Scott Wong and Sucheng Chan, eds., *Claiming America: Constructing Chinese American Identities During the Exclusion Era* (Philadelphia: Temple University Press, 1998), 95–126.

44. Senate Committee, *Naturalization of Asian and Pacific Peoples*, 196–97. As early as 1925, Hong, speaking for the CACA, Chinese Consolidated Benevolent Association (CCBA) chapters

The implication was that the right of Chinese American citizen-soldiers to bring their wives to the United States should take precedence over the desires of non-citizen Issei to naturalize.

CCBA and CACA spokespersons lobbied lawmakers and State Department officials on an individual basis for the removal of the offending provision. Judd himself acknowledged at the same July 1949 hearing that the amendment—which he attributed to officials outside Congress—was “unjust and unwise,” since it would leave many former soldiers in the “socially undesirable state” of having few options to pursue a family.<sup>45</sup> At the urging of Judd and the State Department, the wives’ provision was removed from the Senate version of the bill and would not reappear in any subsequent legislation. The challenge by Chinese Americans and their allies had worked.

#### THE FIGHT OVER THE “EMPIRE QUOTA”

The disagreement over a colonial quota would not be resolved so easily. The provision in question, dubbed the “empire quota” by its critics, imposed a numerical ceiling of 100 per year on migration from “colonies and other dependent areas.”<sup>46</sup> Like Section 3, this provision sought to close a loophole in the 1924 Immigration Act that permitted thousands of blacks living in British, Dutch, and French Caribbean colonies to enter the United States every year using the many unfilled slots left within the large annual quotas of their European colonial masters. Upwards of two thousand to three thousand black residents of the British West Indies immigrated this way annually beginning in the 1920s.<sup>47</sup> Black communities in the United States

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from across the country, and other Chinese American community leaders, had made similar arguments in support of legislation to admit the Chinese alien wives of U.S. citizens. For more on these campaigns, see Zhao, *Remaking Chinese America*, 8–28.

45. Anti-miscegenation laws intended to discourage interracial relations and intermarriage with white Americans left Asian aliens few choices. Senate Committee, *Naturalization of Asian and Pacific Peoples*, 16, 146.

46. The provision in question, Section 12(c), read: “Provided, that not more than one hundred persons born in any one colony or other dependent area shall be chargeable to the quota of its governing country in any one year . . .”

47. More than 150,000 black persons immigrated to the United States from the Caribbean and Africa between 1890 and 1937. By 1914, Afro-Caribbean immigration had become significant enough that the U.S. Senate passed an exclusion bill barring black peoples from immigrating to the United States, but the measure failed in the House. By the end of World War II, there were over a quarter of a million Afro-Caribbeans in the United States, with the majority concentrated in New York City and Chicago. Winston James, *Holding Aloft the Banner of Ethiopia: Caribbean Radicalism*

organized in opposition to the proposed quota, which they denounced as an underhanded attempt that capitalized on the momentum for Asian immigration reform to carry out a larger restrictionist, and in this case, racist agenda. Notably, in addition to calling on the electoral power of black Americans, they embraced the conflation of U.S.-born African Americans and foreign-born Afro-Caribbeans, emphasizing from the start their common struggle against racism. In particular, they cited the importance of fostering goodwill for the United States among West Indians and other black colonial peoples fast approaching independence in the Caribbean. It is doubtful how persuasive U.S. officials found these arguments. Even by the summer of 1949, Washington was more concerned with containing the spread of communism in East Asia than in the Caribbean.

In part, the limited success of opponents to block the colonial quota reflected their slowness to learn of the provision; many heard about it for the first time only *after* the Judd bill passed the House in March 1949. African American Rep. Adam Clayton Powell, Jr. (D-N.Y.) and Italian American Rep. Vito Marcantonio (D-N.Y.) had argued against the colonial quota's inclusion during the House floor debate. Both represented Harlem districts, and Powell's wife was a black immigrant from Jamaica. As one of few black lawmakers serving in Congress, Powell bore the burden of representing black interests on a broad range of issues. Marcantonio's support for black civil rights and the rights of racial minorities was widely known, but his communist sympathies alienated potential allies. The two men squared off against Judd and his ally, restrictionist lawmaker Francis Walter (D-Pa.) in an hour-long debate.

While Marcantonio focused his objections on the measure's perceived racism, Powell, recently returned from Jamaica, appealed to Washington's concerns about national security. Even as the Judd bill's repeal of Asian exclusion promised greater "good will with our far-off neighbors in the Eastern Hemisphere," he warned that the colonial quota would foment anti-U.S. sentiment in Jamaica. Located only "2½ hours from Miami," the site provided a ready "jumping-off place for any type of ill will that a foreign nation would like to bring against our Nation." He reminded his fellow lawmakers of the islands' importance as "bastions of defense," which the

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*in Early Twentieth-Century America* (New York: Verso, 1998), 7–8; Mary C. Waters, *Black Identities: West Indian Immigrant Dreams and American Realities* (Cambridge: Harvard University Press, 2009), 34–37.

colonial quota threatened to tear down.<sup>48</sup> As a foreign affairs expert, Judd might have appreciated this line of argument, but in the late 1940s, East Asia was a more pressing concern than the Caribbean in most lawmakers' minds. Speaking on the House floor, sponsor Walter Judd defended the colonial quota as the price of "equality for all" and reiterated his commitment to a symbolic equality above all else. Building upon previous statements, he stressed that the main goal of his bill was "not to remove the barriers to immigration," but rather, as he had testified at the Judd bill's first congressional hearing a year earlier, "to remove racial discrimination from the barriers."

Judd's actions epitomized how the internationalist's case produced a highly constrained, narrow basis on which to lobby for Asian immigration. Just as he had argued during World War II that repealing Chinese exclusion would check Japanese influence, Judd asserted that repealing Japanese exclusion offered a low-cost, high-yield way to check Soviet influence in Asia. This framing had at least two important implications. First, since repeal was important primarily as a symbolic act, the immigration quotas need not be meaningful; thus, even when a critic proposed to halve the Asian immigration quotas from one hundred to fifty, Judd offered no objection. "As long as [the quotas] are all alike," he maintained, "it is equality."<sup>49</sup> Historian Mae Ngai has critiqued the "politics of symbolic reform" and the ways that a "discourse of formal equality" often elided deeper inequities. A focus on apparent equality did not always result in meaningful or substantive equality, and could in fact produce a "substantively unequal" policy that did not "consider differences in size and needs among countries or the particular historical relations between some countries and the United States."<sup>50</sup> Second, internationalist arguments positioned Asians living in the United States primarily as objects of U.S. action rather than subjects or ethnic communities with interests and rights of their own. If, as the President's Committee on Civil Rights argued, the poor treatment of "hundreds of thousands . . . [of

48. Rep. Adam Clayton Powell, Jr., speaking on HR 199, on March 1, 1949, 81st Cong., 1st sess., *Congressional Record*, H1688–1689.

49. U.S. House, Subcommittee on Immigration, Committee on the Judiciary, *Providing for Equality under Naturalization and Immigration Laws*, 80th Congress, 2nd sess., 1948, 40, 66.

50. Mae Ngai, "The Unlovely Residue of Outworn Prejudices: The Hart-Celler Act and the Politics of Immigration Reform, 1945–65," in *Americanism: New Perspectives on the History of an Ideal*, eds. M. Kazin, and J. McCartin (Chapel Hill: University of North Carolina Press, 2006), 114, 120; Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2003), 245.

American] citizens of Oriental descent” had the potential to “outrage” “hundreds of millions” of their Asian “counterparts overseas,” the implication was that Japanese and other Asians living in the United States were significant first and foremost as proxies for Asians living abroad, not as Americans in their own right.<sup>51</sup>

Rep. Powell challenged Judd’s logic as an “extreme distortion” that amounted to “equality based on discrimination.” While he voiced his support of the bill’s ostensible goal to help “oriental peoples,” he questioned the “gross injustice” of “bring[ing] about equality for the Eastern Hemisphere by discriminating against the Western Hemisphere.”<sup>52</sup> Powell offered an amendment to exempt the British West Indies from the restriction, while Marcantonio sought to have the whole bill recommitted. Both motions failed by a large majority, and the Judd bill passed the House with the colonial quota intact later that day.<sup>53</sup> Nevertheless, despite the larger outcome, it is worth noting that some lawmakers claimed to support the Judd bill on civil rights or domestic grounds, having been persuaded by JACL’s martial patriotism argument. Several specifically cited testimony given by Masaoka and the sacrifices of the all-Nisei 442nd Regiment as the reasons they supported the Judd bill. But, in this case, their support for Japanese American interests outweighed the legislation’s potential harm to black Americans.

Learning of the colonial quota in the wake of the Judd bill’s passage in the House, NAACP leaders set off a firestorm in the black press. They were especially rankled by the zero-sum logic Judd openly embraced, whereby gains for one racial minority group might have to come at the expense of another. Writing in a March 1949 press release, the NAACP’s legal director Thurgood Marshall decried the “grim irony” in that the “House evidently believes that each step forward must be accompanied by a step backward.”<sup>54</sup> Marshall’s mentor and lawyer, Charles Hamilton Houston, editorialized to similar effect in his syndicated newspaper column “Our Civil Rights”; while affirming his support for Japanese American rights, he denounced the proposed colonial

51. President’s Committee on Civil Rights, *To Secure These Rights*, 137.

52. Rep. Adam Clayton Powell, Jr., speaking on HR 199, on March 1, 1949, 81st Cong., 1st sess., *Congressional Record*, H1678.

53. The votes failed by 19 to 118, and 39 to 336, respectively.

54. National Association for the Advancement of Colored People (NAACP) press release, March 3, 1949, Folder 22, Box 33, RG 18, National Council of Churches papers, Presbyterian Historical Society, Philadelphia.

quota as a “dirty sleeper” designed to target “colored peoples in the British Empire.” The last thing we want to do is “exchange a yellow discrimination for a black one,” he protested. “We want to eradicate both.”<sup>55</sup>

The postwar context of growing cooperation may have made the clash surprising, but history made it less so. On the one hand, the immediate postwar years marked a high point in black-Japanese coordination in places like California, where the NAACP’s West Coast branch and various chapters of the JACL worked toward shared goals.<sup>56</sup> To a certain extent, the sentiment extended to Washington, where just one year earlier, Houston and Masaoka had testified before the Senate Judiciary Committee on an anti-lynching bill, framing their mutual concern as evidence that many minority groups feared becoming targets of racial violence.<sup>57</sup> But there had long been fissures between black and Japanese Americans, and these persisted after the war.<sup>58</sup> In 1947, national black civil rights leader Bayard Rustin charged Nisei with being “overly insular” and “almost totally lacking” in active concern for their fellow minority groups. Rustin’s public critique evoked a quick response from the JACL’s national president Saburo Kido, who defended the League’s effort to “take leadership” in addressing problems like evacuation claims and citizenship eligibility that specifically affected Japanese Americans.<sup>59</sup> Ultimately,

55. Charles Houston, Our Civil Rights, February 23, 1949, *Afro-American, St Louis American, Minneapolis Spokesman, Kansas City Call*, Folder 22, Box 33, RG 18, National Council of Churches papers.

56. Historian Greg Robinson has described the immediate postwar years as the height of black-Japanese cooperation and leaders of the JACL as the “most dedicated champions” of that alliance. Robinson, *After Camp*, 222–23.

57. Lawmakers at the hearing debated a proposal to broaden the definition of lynching to make state inaction a prosecutable offense. Masaoka argued that if such a bill had been in effect during resettlement, Japanese Americans would not have suffered the burnings and shootings they experienced upon returning to their former homes and communities. U.S. Senate Committee on Judiciary, *Crime of Lynching*, 80th Cong., 2nd sess., 1948, 64, 68, 72.

58. See, for example, Arnold Shankman, “‘Asiatic Ogre’ or ‘Desirable Citizen’?: The Image of Japanese Americans in the Afro-American Press, 1867–1933,” *Pacific Historical Review* 46, no. 4 (November 1977): 567–87; Daniel Widener, “Perhaps the Japanese Are to Be Thanked?: Asia, Asian America, and the Construction of Black California,” *Positions: East Asia Cultures Critique* 11, no. 1 (2003): 135–81. On African American responses to Japanese internment and its aftermath, see Cheryl Greenberg, “Black and Jewish Responses to Japanese Internment,” *Journal of American Ethnic History* 14, no. 2 (Winter 1995): 3–37; Robinson, *After Camp*, 157–70; Scott Kurashige, *Shifting Grounds of Race*, 158–85.

59. Saburo Kido, “Answer to Bayard Rustin,” *Pacific Citizen*, July 19, 1947, 5. Amidst media attention to Japanese American resettlement, Bayard Rustin’s remarks replayed on a national level common criticisms voiced by local African Americans in cities with significant numbers of both groups. Editorialists in the black newspaper *Los Angeles Tribune*, for instance, openly blamed Japanese Americans’ “indifference” for the failure of local efforts to form multi-racial coalitions to work

both histories informed the JACL's postwar negotiations with black civil rights constituencies in Washington.

Eager for JACL to avoid conflict with better-established lobby groups, Masaoka met with national African American and Jewish community leaders in New York in late 1948; at his request, they agreed not to block or hinder progress on the Judd bill, even as they continued to advance their own respective civil rights agendas. In a progress report submitted to JACL leadership, Masaoka acknowledged that this agreement was "all we can ask for."<sup>60</sup> But the colonial quota's addition to the Judd bill made the *détente* impossible to maintain. In March 1949, Masaoka openly lamented the "awkward position" in which the colonial quota placed the JACL, given its desire to remain at peace with black activists. Nevertheless, the JACL lobbyist was unapologetic about its unwavering commitment to Japanese American rights. "Certainly, we do not want either rights or privileges taken away from other minority groups," he insisted in another progress report. "But, at the same time, we do believe that there should be equality in naturalization and immigration law," such that "other sections, if necessary, should be sacrificed in order to gain the greater principle." To this end, objections by other groups should "not be permitted to cloud or confuse the issues."<sup>61</sup> Based on this logic, he would continue to push for the bill's passage, even with the colonial quota intact.

The two camps hit an impasse at a Senate subcommittee hearing in July 1949. Masaoka and other Judd bill supporters faced their black critics directly during a day of testimony on Capitol Hill. Hoping to stop the amendment in the Senate, Afro-Caribbean and West Indian critics came out in force to lobby for its removal. Although none knew it at the time, black Americans would have no other opportunity to voice their concerns about the colonial quota before Congress. Reflecting the heightened level of alarm among Afro Caribbean communities, West Indian witnesses outnumbered the two U.S.-born African Americans present—Rep. Powell and Leslie Perry, the NAACP's Washington secretary—five to two. Consistent with NAACP's strategy of internationalism, Perry argued that race-based restrictions on immigration such as the colonial quota invalidated the United States' claim to uphold the U.N. Charter and its recently adopted Universal

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toward a broader civil rights agenda. See, for example, Scott Kurashige, *Shifting Grounds of Race*, 176–77.

60. Progress Report #2, December 12, 1948, Folder 9, Box 64, Mike Masaoka papers, Marriot Library, University of Utah, Salt Lake City, Utah.

61. Progress Report #5, March 31, 1949, Folder 11, Box 64, Masaoka papers.

Declaration of Human Rights.<sup>62</sup> While historically not a major voice in immigration matters, the NAACP took up the issue out of a principled commitment to international black solidarity and a growing interest in the black Caribbean. The NAACP was actively pursuing stronger relationships with prominent black Caribbean activists, who were seen as likely national leaders once their home islands became independent. Examples of these efforts included NAACP President Walter White's hosting of Jamaican politician (and later, Jamaica's first prime minister) Norman Manley in New York in 1947, and visits by civil rights activist and entertainer Paul Robeson and Rep. Powell to Jamaica in 1948.<sup>63</sup>

The Afro-Caribbean delegation elaborated on the geopolitical arguments Powell had made months earlier on the House floor. A.A. Austin of the United Caribbean American Council of New York cited the quota's threat to undermine America's "good neighbor relations" with the peoples of the Caribbean and Latin America, in particular. He referenced recent reports that the legislatures of several colonies including Barbados and Trinidad had passed resolutions denouncing the "colonial quota" provision of the Judd legislation. Playing on Washington's growing anxieties over decolonization, Austin lamented the message such a quota inscribing "discrimination against colonial peoples" would send as a reflection of Washington's tacit approval for the "colonial subjugation practiced by European imperial governments." Austin, himself an immigrant from the Caribbean, warned of the "grave crisis" the restriction would certainly cause for Caribbean peoples, who relied on immigration to the United States to escape the "poverty, malnutrition and high mortality" of the islands.<sup>64</sup>

Afro-Caribbean witnesses further invoked the interests of all black Americans, a category in which they squarely placed themselves, to oppose the quota. Austin denounced the quota as an insult that would "reflect

62. The NAACP's 1947 pamphlet *An Appeal to the World* is a good example of the international strategy the organization embraced after World War II. See Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935–1960* (Chapel Hill: University of North Carolina Press, 1996).

63. One notable exception occurred in 1915, in response to an explicit effort by Congress to curtail black immigration to the United States. See Jake C. Miller, "The NAACP and Global Human Rights," *Western Journal of Black Studies* 26, no. 1 (Spring 2002), 22–28. Members of the NAACP also lobbied for passage of an Indian immigration and naturalization bill in cooperation with the India League of America. See Gerald Horne, *The End of Empires: African Americans and India* (Philadelphia: Temple University Press, 2009), 179–81; Nico Slate, *Colored Cosmopolitanism: The Shared Struggle for Freedom in the United States and India* (Cambridge: Harvard University Press, 2012), 170–72.

64. *Naturalization of Asian and Pacific Peoples*, 200–3.

adversely upon the fifteen million Americans of African descent who constitute the largest single minority in this nation of minorities.” Rep. Powell echoed this sentiment of shared black solidarity. While supporting the provisions of the bill benefiting Asian peoples as a “long delayed gift to our friends of the Far East,” he again insisted that the colonial quota, as “discrimination of the very rankest type,” had no place in the legislation.<sup>65</sup> The Democratic Party had adopted a national civil rights plank for the first time in 1948, reflecting black Americans’ rising electoral clout. Yet the strategy did not benefit black Americans in the immigration arena, as it failed to persuade northern lawmakers to action and further alienated the Southern Democrats who dominated Congressional subcommittees overseeing immigration. Several were known to be stalwart opponents of both black civil rights gains and immigration liberalization. They had no interest in removing the colonial quota.

Discouraged by the opposition of black civil rights leaders and the power of southern restrictionists in the Senate, JACL leaders worked with Rep. Walter to draft an alternative bill they could support if the Judd bill failed. The Walter Resolution proposed to abolish race and ethnicity as factors in U.S. citizenship, but omitted immigration reform. JACL leaders surmised, accurately, that a citizenship-only measure, absent the more controversial Asian immigration quotas, would find more supporters.<sup>66</sup> Even as the Judd bill languished in Senate committee once again, the Walter Resolution passed both houses in the 81st Congressional session. Security riders added to the measure in the Senate led Truman to veto it, however, preventing its ultimate enactment. Another version of the resolution passed the House the following year, but the Senate proved the bottleneck that spelled the measure’s defeat in early 1951.<sup>67</sup>

The JACL’s pragmatic approach to the short-lived Walter Resolution was a harbinger of the McCarran-Walter campaign to come. League leaders continued to support the measure through changes that diluted its benefits to Asian peoples: first, when the resolution dropped Koreans from its

65. *Ibid.*, 203, 241, 244.

66. This sentiment was shared by even staunch supporters of repeal. For example, at a meeting in early 1947, Rep. Emanuel Celler of New York estimated that the Judd bill’s immigration provisions were about “five years ahead of schedule” in terms of their ability to pass Congress. March 1947 JACL-ADC Progress Report, Folder 9, Box 64, Masaoka Papers.

67. Richard Russell initially claimed to object to the bill because it gave treaty merchants the right to apply for naturalization, but Congressional observers agreed that his action was more likely rooted in his own personal opposition to civil rights and racial equality measures.

citizenship provisions, and later, when the Senate added security riders. The JACL's unflagging support through these many modifications made clear the organization's commitment to Japanese American interests above all, a commitment that would hold in subsequent efforts to pass the McCarran and Walter bills.

After the Judd bill was tabled, debates continued within the JACL's ranks over what commitments the group owed to other oppressed minority groups and to black Americans, in particular. Some members cautioned that the League was associating too closely with African Americans, to its own detriment. Others like Ina Sugihara, who helped found the JACL's New York City branch in 1944, defended the partnerships as part of Japanese Americans' own education as well as a recognition of their shared interests.<sup>68</sup> Similarly, Larry Tajiri, editor of the JACL newspaper *Pacific Citizen*, called on Japanese American readers to recognize how their fates were mutually entwined with those of the black community. He explained his position in an April 1951 column:

[T]he JACL has been admonished by obviously well-meaning people, both *Nisei* and non-*Nisei*, not to become involved in other racial issues, particularly those concerning Negroes. The theory is that the *Nisei*, now that the war crisis is over, will be treated as honorary Aryans as long as they do not align themselves with groups which are still subject to discrimination. This is a sort of social isolationism that is no more logical than isolationism as a matter of national policy. There are no islands anymore, whether for racial minorities or for nations.<sup>69</sup>

Going it alone was no longer a viable option, Tajiri protested, and the JACL did so at the risk of alienating the very groups who should be their friends. But Tajiri did not represent the majority voice of the JACL.<sup>70</sup> Even after the Judd bill's immigration and naturalization provisions were incorporated into the highly controversial McCarran-Walter omnibus measure, the JACL's national leadership continued to insist on the importance of those provisions to the Japanese American community even as this support

68. Robinson, *After Camp*, 90–93.

69. Larry Tajiri, "Nisei USA: Practice and Preachment," *Pacific Citizen*, April 14, 1951, 2.

70. Tajiri left the staff of the *Pacific Citizen* in 1952. For more, see Greg Robinson, ed., *Pacific Citizens: Larry and Guyo Tajiri and Japanese American Journalism in the World War II Era* (Urbana: University of Illinois Press, 2012).

brought them into direct conflict with many of the same groups Tajiri pointed to as natural allies.

More than black critics, it was ultimately Senate restrictionists who doomed both the Walter Resolution and the Judd bill.<sup>71</sup> The most powerful among them was Sen. Richard Russell (D-Ga.), who by 1949, had publicly expressed his regret for allowing the Chinese and Indian repeal bills to pass during his tenure as the chairman of the Senate Immigration Committee earlier in the decade. At the time, he had done so reluctantly at the personal request of the president.<sup>72</sup> Russell was more extreme than many of his peers in that he not only opposed giving Asian powers immigration quotas—he also objected to giving Asians naturalization rights on the grounds that U.S. citizenship eligibility represented a civil rights gain as outlined in the president’s agenda, which he was against on principle. The staunch segregationist—who would later co-author the Southern Manifesto opposing desegregation in the American South—took special issue with Japanese aliens, whom he insisted did not actually want to assimilate and only sought U.S. citizenship out of economic self-interest. According to Masaoka, Russell’s example proved that only U.S. foreign policy arguments could secure restrictionists’ cooperation, and even then, under considerable pressure.<sup>73</sup> After 1950, the JACL would embrace a strategy of geopolitics under Masaoka’s leadership, making it a prominent part of the organization’s lobbying efforts for the McCarran-Walter Act of 1952.

#### **JACL, THE “EMPIRE QUOTA,” AND THE McCARRAN-WALTER ACT OF 1952**

Extensive scholarship has documented the Cold War pressures that facilitated passage of the McCarran-Walter Act.<sup>74</sup> From the start, Senator Patrick McCarran cited the need for immigration reform as a tool in America’s battle

71. Steven F. Lawson, ed., *To Secure These Rights: The Report of President Harry S. Truman’s Committee on Civil Rights* (Boston: Bedford/St. Martin’s, 2004), 32.

72. Russell expressed regret over the Chinese repeal bill, in particular, which he argued had opened the doors for greater abuse and immigration-related rackets among Chinese. JACL-ADC Progress Report #10, October 21, 1949, Folder 25, Box 17, JACL papers, Japanese American National Library, San Francisco, Cal.

73. *Ibid.*

74. See, for example, Robert A. Divine, *American Immigration Policy, 1924–1952* (New Haven: Yale University Press, 1957); Maddalena Marinari, “Immigration and Nationality Act (1952)/McCarran-Walter Act,” *The Making of Modern Immigration: An Encyclopedia of People and Ideas* 1 (2012): 355–70.

against Communism.<sup>75</sup> In January 1951, he introduced his omnibus immigration bill to the Senate, while Rep. Walter sponsored a companion measure in the House. The McCarran and Walter bills incorporated Judd's Asian immigration and naturalization provisions, coupled with some of the most draconian deportation and denaturalization provisions ever seen in U.S. legislation.<sup>76</sup> The inclusion of these provisions was strategic. In the face of wide-ranging opposition and protest to their proposed bills, Pat McCarran and Francis Walter—both well-known restrictionists and anticommunists—hoped the “liberal tinge” and popularity of the Asian immigration and naturalization provisions would offset their legislation's more controversial sections strengthening state power over the detention and deportation of suspected subversives.<sup>77</sup> Several lawmakers, including New York's Emanuel Celler and Herbert Lehman, sought to counter the McCarran and Walter bills with liberal alternatives.<sup>78</sup> But McCarran, in turn, used his position as chair of the Senate immigration subcommittee to exclude rival bills from serious consideration.

Meanwhile, Afro-Caribbean and African American critics alike continued to protest the injustice of the colonial quota, which the McCarran-Walter legislation retained from the tabled Judd bill.<sup>79</sup> In a 1951 letter to the White House, Felix A. Cummings, President of the British Guiana Development

75. McCarran regularly expressed fears that an unmodified immigration policy would allow communists to enter the United States and thus jeopardize domestic security. He also opposed large numbers of unassimilated aliens living within the country as a security problem.

76. They were in good company. The first few months of 1951 saw more than five repeal bills introduced to Congress, including another version of the Judd bill. Bill Hosokawa praised Judd, a Republican, for allowing Democrat Francis Walter to take credit for the legislation at the request of fellow Democrat House Speaker Sam Rayburn, who wanted his party to get credit for the legislation. Hosokawa, *JACL: In Quest of Justice*, 295–96.

77. David Reimers, *Still the Golden Door: The Third World Comes to America* (New York: Columbia University Press, 1992), 16–20.

78. Celler's bill, which followed McCarran's by a month, called for the pooling of unused quota slots so as to relieve the oversubscribed quotas of eastern and southern European countries. It went nowhere. The Humphrey-Lehman bills, introduced to Congress in early 1952, likewise failed, but their main ideas are encapsulated in the 1952 report of the President's Commission on Immigration and Naturalization, *Whom Shall We Welcome* (Washington, D.C.: Government Printing Office, 1953).

79. Bishop Reginald Barrow of the Brownsville Citizens Committee of 1000 described the bill as an “affront to all citizens of our country, especially the Negro people” and, along with Ms. Eveline Hollar of New York, called upon the president to use his veto to “ensure the bill is defeated.” Bishop Reginald Barrow to Truman, February 6, 1952, Box 682, WHCF: OF 133; Ms. Eveline Hollar of New York to Truman, February 26, 1952, Box 682, WHCF: OF 133, Truman Papers, Truman Library, Independence, Mo.

League of America, denounced the colonial quota as “reprehensible,” saying its inclusion showed “total disregard” of the many contributions West Indians had made to the United States.<sup>80</sup> Rep. Walter received his share of correspondence from Afro Caribbean groups, who saw him as a more sympathetic figure than McCarran; but critics found him immovable. Walter even dismissed as “propaganda” the statement of Reverend John J. McEleney of Jamaica that the quota was racist. The colonial quota was about protecting labor and the livelihoods of American workers, the lawmaker maintained, not race.<sup>81</sup> In a departure from his previous opposition to black immigration from the Caribbean, African American labor leader A. Philip Randolph of the Brotherhood of Sleeping Car Porters sent Truman a lengthy letter in which he denounced the legislation’s “sinister quota device” for imprinting a “stigma of inferiority based upon race and color to Negro peoples of African descent everywhere.” Invoking the strength of black internationalist solidarities and likening the legislation to apartheid policies in South Africa, he warned that enactment of the bill would certainly “arouse and provoke resentment among Negroes throughout the United States, the West Indies and Africa,” insofar as it “smack[ed] of the same species of totalitarian racist policies for which the notorious Malan-South African government has become universally condemned by decent, liberty-loving people.”<sup>82</sup> The NAACP’s Walter White requested a meeting to convey a similar message in person, but Truman’s office denied his telegrammed request, citing scheduling issues.

A joint hearing of the House and Senate immigration subcommittees in March 1951 reflected the power of co-sponsors McCarran and Walter to structure the debate in favor of passage. As the chairs of the Senate and House immigration subcommittees overseeing the legislation, the two men were able to schedule the hearing and determine the list of witnesses on very short notice. Critics had little time to organize, and the result was a roster of speakers disproportionately made up of supporters, with few opposing voices

80. Felix A. Cummings, British Guiana Development League of America, to Truman, April 9, 1952, Box 682, WHCF: OF 133, Truman Papers.

81. Walter to Rep. John W. McCormack, April 2, 1952, Box 314, File H.R. 5678, RG 233, Center for Legislative Archives, Washington, D.C.

82. In the 1920s, labor leader A. Philip Randolph opposed West Indian migration on the grounds that Caribbean immigrants did not become U.S. citizens and therefore would not help black civil rights efforts. He was also concerned that West Indian migrants would undercut black workers in the U.S. labor market. A. Philip Randolph to Truman, May 29, 1952, Box 682, WHCF: OF 133, Truman Papers.

and no black Americans.<sup>83</sup> Thanks to restrictionists' vise grip on the legislative process, this would be the only Congressional hearing held on the McCarran-Walter bills before their passage in June 1952 and thus one of the only official forums for non-governmental figures and organizations to voice their dissent.

The JAACL's Masaoka was among the majority of witnesses to testify in support of passage. The racialized strategy of geopolitics he had begun to embrace was fully developed in his long statement. First, he played on the favored status Japanese Americans enjoyed as Japan became an important U.S. ally in the Cold War, emphasizing the geopolitical expediencies that the bill's naturalization and immigration provisions fulfilled in light of the United States' "meeting the Communist enemy in battle in Korea." Adopting the language of wartime expediency, he cautioned that while Congressional passage of the bill would surely build up Japan as "our bulwark of democracy in the Orient," its failure threatened to push Japanese public opinion further into the camp of the Soviet enemy.<sup>84</sup> Internal JAACL memoranda reflect the deliberateness of Masaoka's use of geopolitics as a rationale for repeal. In 1948, Masaoka wrote to the League's national board with a recommendation that the campaign should shift its strategy to focus on Asia and other events outside the United States. "[D]evelopments in the field of world politics and American foreign policy," he wrote, had led him to believe that the campaign would do better to shift the emphasis from "naturalization and domestic influence to immigration and its impact on the world situation, particularly as it affects the struggle against the spread of communism." While he personally claimed to dislike such rhetorical pandering, he argued that JAACL should "stress this angle" to prevent the ADC's program from being "lost in the legislative rush to do something about Russia."<sup>85</sup> Although it would take him several years to implement the strategy, when he finally did, he deployed it to great effect.

Equally significant, Masaoka claimed to speak, in part, as a "member of the Japanese race" who understood "how the people of Japanese ancestry feel about America and her democratic ways."<sup>86</sup> In doing so, not only did he claim

83. Witnesses who spoke against the measure represented a range of religious, ethnic, and liberal organizations, including the American Jewish Committee, National Catholic Welfare Conference, American Civil Liberties Union, Latvian Relief, and the Order Sons of Italy in America. The JAACL was the only Asian American organization represented.

84. *Revision of Immigration, Naturalization, and Nationality Laws*, 1951, 74.

85. Masaoka to JAACL Headquarters, March 19, 1948, Folder 14, Box 2, Masaoka papers.

86. *Revision of Immigration, Naturalization, and Nationality Laws*, 1951, 74.

special insight into the mind of the Japanese people because of his Japanese heritage; Masaoka positioned himself as an unofficial spokesperson for Japanese interests in Washington. Masaoka's explicit invocation of Japanese identity marked a sharp change. He had spent the World War II years and, indeed, most of the 1940s trying to establish his ignorance of all things Japanese. This was not surprising given the virulent anti-Japanese sentiment that followed Pearl Harbor; many Japanese Americans sought to distance themselves from Japan for their own safety. Like the JACL as a whole, Masaoka adopted a wartime strategy of downplaying his Japanese heritage in favor of 100 percent Americanism; he authored the Japanese American Creed to this effect, calling on his fellow Nisei to prove themselves "worthy of equal treatment and consideration."<sup>87</sup> Speaking before Congressional audiences during the war, he joked about his inability to speak, read, or write the Japanese language. Born in Central California and raised in Salt Lake City, Masaoka had never been to Japan or any other part of Asia, and he made a point to say so in his official statements. But white Americans' views of Japan and Japanese had grown more positive by 1951, and Masaoka discovered that his Japanese features won him a warmer reception in Washington. "For reasons I have never been able to fathom," he once lamented, "Japanese Americans are expected to know everything there is about Japan."<sup>88</sup> As a pragmatist, Masaoka was quick to seize upon any strategic advantage his Japanese heritage might convey. As he later recounted about his time in postwar Washington, "I was the first *Nisei* that many of the legislators had ever seen, and I must have been something of a curiosity. But that was all right if being a curiosity helped the cause."<sup>89</sup> In doing so, however, Masaoka deliberately played upon lawmakers' racial expectations, using a strategy of self-Othering, or "strategic self-orientalizing," in order to further the JACL's agenda.<sup>90</sup>

By the spring of 1952, the omnibus bill had passed the House and the Senate, and the only major obstacle to passage that yet remained was a potential

87. Japanese American Creed (1941), reprinted in Hosokawa, *JACL: In Quest of Justice*, 279–80.

88. Mike Masaoka and Bill Hosokawa, *They Call Me Moses Masaoka: An American Saga* (New York: William Morrow & Company, 1987), 239.

89. Masaoka and Hosokawa, *They Call Me Moses Masaoka*, 203.

90. This term was taken from Greg Fritz Umbach and Dan Wishnoff, "Strategic Self-Orientalism: Urban Planning Policies and the Shaping of New York City's Chinatown, 1950–2005," *Journal of Planning History* 7, no. 3 (August 2008), 214–38. Also see Meredith Oda, "Rebuilding Japantown: Japanese Americans in Transpacific San Francisco during the Cold War," *Pacific Historical Review* 83, no. 1 (February 2014): 59–60, 91; Wu, *The Color of Success*, 113.

veto by the Truman White House, which took issue with the legislation's draconian national security provisions. Hoping to prevent such an outcome, JACL launched an eleventh-hour effort in the final months of the campaign. In an April 1952 *New York Times* letter to the editor, Masaoka defended the organization's choice to support the legislation as pragmatic. Acknowledging charges of its racist nature, he claimed the bill's "Asia-Pacific Triangle" formula represented a "long step forward . . . from absolute exclusion." He insisted that to "scrap improvements on the grounds of their not being ideal would frustrate the achievement of any gains whatsoever."<sup>91</sup> In short, he argued, an imperfect or flawed bill was preferable to none at all. The JACL came under harsh rebuke by liberal groups for its position.<sup>92</sup>

JACL leaders redoubled their efforts to pass the omnibus bill in June 1952; Truman's presidential veto forced a showdown in the Senate, which eventually overrode it. The league's national president Abe Hagiwara penned Truman to explain the benefit the legislation's naturalization provisions would bring to his own mother, who had lived in the United States for thirty-five years. "To many people like her America is home," Hagiwara wrote. "This is where they will rest forever."<sup>93</sup> By the middle of the month, league leaders were so confident of a victory that Masaoka requested five commemorative pens from Truman's signing of the bill into law that he could distribute at the JACL's upcoming annual convention.<sup>94</sup> Days later, Truman's veto sent Masaoka back to Capitol Hill, where he claimed to have personally persuaded nine liberal congressmen to absent themselves from the vote and thereby ensure the bill's success.<sup>95</sup> On June 25, 1952, he was with his mother and another colleague in the Congressional galley when the Senate voted to override the White House by a margin of five votes. His mother was "jubilant," and Masaoka recalled "brushing back tears of happiness" at the news that McCarran-Walter had passed.<sup>96</sup>

91. According to Masaoka, the bill reflected the "evolutionary nature" of legislative reform in a democracy. Mike Masaoka, "McCarran Bill Upheld," *New York Times*, April 27, 1952, E8.

92. Masaoka and Hosokawa, *They Call Me Moses Masaoka*, 299–301.

93. Abe Hagiwara to Truman, June 14, 1952, Box 682, WHCF: OF 133, Truman Papers.

94. Masaoka to Truman, June 13, 1952, Box 682, WHCF: OF 133, Truman Papers.

95. JACL's role in the success of the McCarran-Walter campaign, while certainly exaggerated by Masaoka and other League leaders, was rhetorically significant. Masaoka and Hosokawa, *They Call Me Moses Masaoka*, 227–37. The bill's co-sponsors, Senator McCarran and Rep. Walter, repeatedly cited Masaoka's lobbying and the support of the JACL as key factors in the legislation's ultimate success and to rebut charges that the bill was racist.

96. Masaoka and Hosokawa, *They Call Me Moses Masaoka*, 235, 256–57.

While JACL bore the brunt of opponents' criticism for its outspoken support, in fact, it was not the only Asian American organization to go on record as endorsing the McCarran-Walter bill. Other groups included the Los Angeles chapter of the Chinese American Citizens Alliance, the Korean National Association, and the Filipino Federation of America; they represented some of the more conservative and well-established organizations within each community.<sup>97</sup> Still, Asian American critics were many. The Nisei Progressives, an organization of leftist Japanese Americans numbering in the hundreds nationwide, were among the outspoken opponents of the legislation. While they shared the JACL's desire for Issei citizenship and more equitable U.S. immigration quotas, they did not believe the McCarran-Walter bill reflected the spirit of these goals. For one, they took issue with the legislation's national security provisions providing for the deportation of any alien "who at any time after he was admitted to this country has been engaged in a Communist or totalitarian cause." An April 1952 editorial noted the likely impact on Issei who were former members of Japanese organizations still on the Attorney General's "subversive list."<sup>98</sup> In early June 1952, as the omnibus bill was pending in both houses, the Nisei Progressives issued a longer statement denouncing the "reactionary" legislation and its sponsors as selling "racism in the name of progress," offering Japanese "naturalization and immigration rights in exchange for discriminatory double standards for Negro and Oriental peoples."<sup>99</sup> West Coast Japanese Americans were similarly divided on the legislation. In an attempt to undercut the notion that the JACL's advocacy represented a general consensus among Japanese Americans in favor of the McCarran-Walter bill, a San Francisco committee sent copies of telegrams from several "prominent Japanese-Americans" in the Bay Area opposing the omnibus measure and expressing support instead for a more liberal bill proposed by Senator Lehman of New York. On behalf of Japanese Americans living in San Francisco and on the University of California, Berkeley campus, Morgan Yamanaka, Anne Kunikani, and Kimi Fugita

97. Y.C. Hong, Randolph M. Sakada, Hilario Moncado, and Chin Ha Choy to Pat McCarran, May 20, 1952, Hong Business Files, Huntington Library, San Marino, Cal.

98. The editorialist specifically questioned whether "issei would want citizenship at the expense of Negroes, whose immigration from the West Indian colonies would be reduced by 90 per cent." "Omnibus Bill Suspect," *Hokubei Shimpo*, April 3, 1952, 1. Many thanks to Greg Robinson for sharing this hard-to-find newspaper issue with me.

99. "Omnibus Bill Takes 1 Step Forward, Two Steps Back," *Hokubei Shimpo*, June 5, 1952, 1.

called for passage of the Lehman measure as the “better course for our democratic way of life.”<sup>100</sup>

Chinese Americans were not a united front either. Several East Coast delegations, including one from New York City Chinatown’s Fukien Benevolent Association of America, urged Truman to veto the legislation, both in writing and in person. The objections of another group, identifying themselves only as “anti-communist, loyal Chinese-Americans” active in the Boston and New York communities, suggested the persistence of inter-ethnic tensions between Chinese and Japanese American activists even after the conflict over the wives’ provision was resolved.<sup>101</sup> They took issue with what they alleged was the bill’s “unjustifiable, capricious and arbitrary granting of a superlative quota of 185 to Japan,” a power that “until recently” had been a “dastard enemy of the United States whereas former allied nations, such as the Philippines, China and India only receive a quota of about 100 each.” Their petition cited the undue influence of “Mr. Mike Masaoka” by name and registered disapproval of the way his “persistent lobbying activities” had resulted in an inequitable outcome.<sup>102</sup> Congressional sponsors McCarran, Walter, and Judd would nonetheless continue to cite broad Asian American support for the legislation to defend their support for years to come.<sup>103</sup>

The passage of McCarran-Walter over Truman’s veto in July 1952 unleashed a flurry of writings, as Japanese Americans, other Asian Americans, and white observers publicly debated the merits of JACL’s decision to support the controversial omnibus measure.<sup>104</sup> Asked to justify the league’s controversial position at the President’s Commission on Immigration

100. Eugene Block of San Francisco to Truman, May 16, 1952, Box 682, WHF: OF 133, Truman Library.

101. According to Brooks, many west coast Chinese American leaders, distracted by “the Korean War and China politics,” were taken “by surprise” when the McCarran-Walter legislation made it to the Senate floor in June 1952. Brooks, *Between Mao and McCarthy*, 126.

102. Edward Lin, executive secretary of the New York group hand-delivered a petition to the president on behalf of the CCBA New York. After Truman’s veto a month later, Lin left small packages of tea and fans at the White House gate in gratitude. William Hopkins, memo to Miss Conway, August 4, 1952; Franklin R. Wong, Yatsen Moo-an Kiang, and Lincoln H. Yao, to Truman, June 14, 1952, Box 682, WHF: OF 133, Truman Library.

103. See, for example, Tamayo, “Asian Americans and the McCarran-Walter Act,” 363, fn 92, for a reference to what he alleged was Judd’s “deliberate misrepresentation” that “no group of Asians . . . protested” the creation of the Asia-Pacific Triangle, 83rd Cong. Rec.—Appendix, A217, January 19, 1953.

104. Robinson, *After Camp*, 97–98; Robinson, “The Great Unknown and the Unknown Great: Remembering the McCarran-Walter Act,” *Nichi Bei*, July 11, 2013.

hearings that fall, the associate director of the JACL's Anti-Discrimination Committee Richard Akagi explained that the goal of Issei naturalization had been too urgent for the league to wait for a less controversial bill. While "young people" might have had the choice to "stand on principle for another 10 to 15 years," aging Issei "in the twilight of their lives" did not have that option; if the JACL had waited another "5 to 6 years," the fight itself would have become "meaningless" for those who stood to benefit most.<sup>105</sup> In short, he concluded, the ends justified the means, even if the Issei's gain had to come at another community's expense and as part of a less-than-ideal legislative package.<sup>106</sup>

### LEGACIES OF 1952

While black activists and JACL leaders may have been on opposing sides in the 1952 debates, those positions shifted quickly, within a few years the JACL became a vocal advocate for modifying the McCarran-Walter Act's immigration system. Relative to the JACL's controversial role in helping pass McCarran-Walter, historians have largely overlooked the organization's active role in the revision campaigns, as the league joined the ranks of liberal, ethnic, and religious groups seeking to generate Congressional momentum for further reform in the mid-1950s. During House hearings on the bills that would become the Hart-Celler Immigration Act in 1964 and 1965, Masaoka described the pending legislation as a corrective to 1952 and openly expressed regret over the JACL's decision to support McCarran-Walter's race-based quotas for Asian countries as the "price" that had to be "paid" for Issei citizenship eligibility.<sup>107</sup>

Black activists who had first been galvanized by the introduction of the colonial quota during the Judd and McCarran-Walter campaigns also remained active in lobbying for its elimination in the years leading to 1965.<sup>108</sup> As critics had warned, the colonial quota drastically diminished black

105. U.S. President's Commission on Immigration and Naturalization, *Emigration and Immigration Law* [Hearings], Los Angeles, Cal., October 1952, 1737.

106. Mike Masaoka, quoted in Hosokawa, *JACL: In Quest of Justice*, 294.

107. Masaoka described the League's support for McCarran-Walter as a choice made "reluctantly and apologetically." Mike Masaoka of JACL to Rep. James Utt, August 11, 1965, file H.R. 2580, Box 75, RG 233, NARA I, Washington, DC.

108. For example, the NAACP's Youth Division formed a national committee on immigration policy that was active for several years after the McCarran-Walter Act's passage; its efforts focused on working with other youth organizations to raise public awareness of the law's injustices.

immigration from the Caribbean.<sup>109</sup> From NAACP president Walter White's appearance before the Truman-appointed Commission on Immigration and Naturalization in 1952 to Jamaica Progressive League chairwoman Mrs. Beryl Henry's statement to a House immigration subcommittee in 1964, African American and Afro Caribbean groups promoted changes to U.S. immigration policy as a matter of both black civil rights and U.S. security interests overseas. As the focal point of global decolonization shifted from Asia to Africa and the Caribbean in the late 1950s, Jamaica and other Caribbean colonies had become independent; however, because of a technicality in the McCarran-Walter Act, Jamaica, along with Trinidad and Tobago, remained under the 100-person annual restriction despite its sovereign status. Highlighting the detrimental impact of this loophole, Henry asked Congress to redress the "humiliation" of the restriction on West Indian immigration, in part for the sake of "inter-American unity."<sup>110</sup> Official audiences would presumably be receptive to this hemispheric logic; the Cuban Missile Crisis one year earlier had threatened U.S. Cold War interests in the Caribbean, and by the time Henry testified, Washington was sending billions of dollars to Latin America as part of the Alliance for Progress program in an effort to stem the spread of Soviet influence in the region.

Between 1955 and 1965, JACL and black witnesses spoke at many of the same legislative hearings on immigration, but relations between their larger constituencies remained distant.<sup>111</sup> This distance began to lessen in the early 1960s, as debate among Japanese Americans began anew over the suggestion that their community should take a greater role in supporting black civil rights struggles. One result of this increased sense of shared responsibility was the JACL's 1963 "Memorandum on Policy Regarding Civil Rights," which publicly embraced President Kennedy's civil rights agenda and allocated \$2,000 in league funds to support the multi-racial coalition, Leadership

109. A byproduct of the McCarran-Walter Act's colonial quota was a corresponding jump in the number of Jamaicans and other West Indians migrating to Great Britain in the years after 1953. Iyiola Solanke, "Black Women Workers and Discrimination: Exit, Voice, and Loyalty . . . or 'Shifting?'," in *Migrants at Work: Immigration and Vulnerability in Labour Law*, eds. Cathryn Costello and Mark Freedland (London: Oxford University Press, 2014), 314, fn 78.

110. U.S. House Judiciary Committee, *Immigration: Part 3*, 88th Cong., 2nd sess., 1964, 948.

111. According to Robinson, "*Nisei* (like most white Americans) . . . remained largely aloof from the black freedom struggle as it developed in the years after *Brown v. Board of Education*." Robinson, *After Camp*, 224, and 223-40 more generally.

Conference on Civil Rights.<sup>112</sup> Later that year, Masaoka joined thirty-four other JACL representatives to participate in the March on Washington at the invitation of Dr. Martin Luther King, Jr. and the March's organizers, though not without some pushback from the League's older and more conservative members.

The JACL's participation in the 1963 March on Washington reflected an evolving shift in mindset among the organization's leadership as well as within the larger political climate of the 1960s. JACL's relationship with black organizations grew warmer with the growing influence of a younger generation of leaders and members who desired a closer relationship with black activists. In 1966, the election of forty-year-old Jerry Sakamoto, a third-generation Japanese American, as JACL's national president signaled a more lasting shift toward greater cooperation with black groups. The JACL would also work more frequently with liberal and left-wing Japanese American groups, as well as African American and leftist organizations in the years after 1965, as the JACL adopted as one of its main goals the elimination of the 1950 McCarran Act's Title II provision. Also known as the "concentration camp law," this provision allowed the president to detain any persons suspected as a threat to internal security during a national emergency. Congress repealed it in 1971 through the work of a politically and racially diverse coalition of organizations.<sup>113</sup>

Ultimately, the rupture triggered by the McCarran-Walter Act of 1952 led to a unified critique among Japanese American and black communities: critics shared a vision of the 1965 Act as a corrective to 1952. However, the combined power of these two minority constituencies was insufficient to create legislation that would meet all of their hopes. Most notably, even as the 1965 Hart-Celler Act finally eliminated the colonial restriction on the Caribbean, it simultaneously imposed a general ceiling on immigration from the Western Hemisphere for the first time in U.S. history. This

112. The 1963 JACL document called for the League's active and significant participation in "all responsible and constructive activities which focus public attention upon legitimate civil rights issues," although JACL members continued to disagree on what this meant. Quoted in Robinson, *After Camp*, 232. The Leadership Conference on Civil Rights, a multiracial civil rights coalition and umbrella lobbying group, was founded in 1950 by black labor leader A. Philip Randolph, the NAACP's Roy Wilkins, and Jewish community leader Arnold Aronson. Masaoka served as the JACL's representative in the Conference beginning in 1950 at the invitation of its founders.

113. For more on the campaign and the JACL's role in the effort, see Masumi Izumi, "Prohibiting 'American Concentration Camps,'" *Pacific Historical Review* 74, no. 2 (2005): 165-94.

ceiling effectively ensured that the divergent treatment of Asian and Afro Caribbean people under U.S. immigration law would continue for many years to come.

## CONCLUSION

As “aliens ineligible to citizenship,” foreign-born persons of Asian descent have long fit uneasily with traditional categories of citizen versus noncitizen, and immigration and civil rights policy in the United States.<sup>114</sup> Legal scholars have been the most active in bridging discussions of immigration and civil rights, breaking down and problematizing the sharp distinctions historically drawn between the two arenas.<sup>115</sup> This scholarship, which has seen an explosion since the 1990s, has illuminated some of the possibilities and limitations of situating immigrants and immigrant rights within a civil rights framework. Over the last decade in particular, law professors have done rigorous work to parse the technicalities of immigration and civil rights law, in part to create usable law for contemporary practitioners in what some have dubbed the “immigration civil rights movement.”<sup>116</sup> What historians bring to the discussion is the ability to historicize and contextualize these categories of law, as they were deployed at particular moments in time.<sup>117</sup> As

114. U.S.-born Asian Americans, despite their birthright citizenship, have experienced their own forms of racialized alienage and second-class citizenship. Mae Ngai has used the term “alien citizenship” to describe this phenomenon as experienced by American-born U.S. citizens who possess the legal rights of citizenship by virtue of their U.S. birth but “remain alien in the eyes of the nation.” Ngai, *Impossible Subjects*, 8.

115. Select examples include Chin, “The Civil Rights Revolution Comes to Immigration Law”; Bill Ong Hing and Kevin R. Johnson, “The Immigrant Rights Marches of 2006 and the Prospects for a New Civil Rights Movement,” *Harvard Civil Rights–Civil Liberties Law Review* 42 (2007); Kevin Johnson, *The Huddled Masses Myth: Immigration and Civil Rights* (Philadelphia: Temple University Press, 2004); William Tamayo, “When the Coloreds are Neither Black nor Citizens: The United States Civil Rights Movement and Global Migration,” *Asian Law Journal* 2 (1995): 1–32; Frank H. Wu, *Yellow: Race in America beyond Black and White* (New York: Basic Books, 2003). Work by law professor Hiroshi Motomura on race and U.S. immigration and citizenship law is also instructive.

116. See, for example, Cristina M. Rodriguez, “Immigration and the Civil Rights Agenda,” *Stanford Journal of Civil Rights & Civil Liberties* 6 (2010): 125–46; Rodriguez, “Immigration, Civil Rights & the Evolution of the People,” *Daedalus* 142, no. 3 (2013): 228–41. The term “immigration civil rights movement” was taken from Kristina Campbell, “The ‘New Selma’ and the Old Selma: Arizona, Alabama, and the Immigration Civil Rights Movement in the Twenty-First Century,” *Journal of American Ethnic History* 35, no. 3 (2016): 76–81.

117. Writing in 2003, Ngai problematized a direct analogy between mid-century black civil rights and immigration reform, noting how differences of race and citizenship status distinguished black Americans’ civil rights struggles from those of the majority actors involved in immigration

one example, this article charted the contingent process by which one Japanese American organization sought to make naturalization reform part of the national conversation about civil rights in the early years of the Cold War. In so doing, it identified the Judd and McCarran-Walter campaigns as a moment when the boundaries separating immigration and civil rights law, immigrant rights and civil rights, were being challenged and redrawn in the crucible of congressional politics during the early Cold War. By historicizing these categories and charting their uses at particular moments, we not only better comprehend the processes of their construction and reconstruction—we also develop a more precise and robust understanding of how the legal categories and terms we use can serve and strengthen the defense of marginalized and oppressed communities today.<sup>118</sup> ■

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#### NOTE

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advocacy: white American ethnics calling for the abolition of the national origins quota system. More recently, Cheng has argued that Asian Americans' racialization and history of immigration-related discrimination "necessitated that the fight for civil rights for Asian Americans include immigration reform." Cheng made the argument with reference to Chinese American activism in the campaign for the 1965 Hart-Celler Act, building, in turn, upon the work of historian Sue Fawn Chung and, to a lesser extent, of law professor Gabriel Chin, who has described the 1965 Act as a moment when "civil rights revolution" came to "immigration law." Ngai, *Impossible Subjects*, 228–30; Cheng, *Citizens of Asian America*, 152–89, esp. 152–53; Chung, "Fighting for Their American Rights"; Chin, "The Civil Rights Revolution Comes to Immigration Law."

118. Johnson, *The Huddled Masses Myth*, 6.