

## “America must remain American”: The Liberal Contribution to Race Restrictions in the 1924 Immigration Act

Kevin Yuill



The anti-Japanese clause in the 1924 Immigration Act was ultimately more important than its discriminatory quotas on Eastern and Southern Europeans.

**A**merica must remain American,” President Calvin Coolidge said in 1924 as he signed into law a measure that ended a period of nearly unrestricted immigration into the United States. The importance of the 1924 Immigration Act—sometimes referred to as the Johnson-Reed, National Origins, or Japanese Exclusion Act—is well known. But the story of how it highlighted race as an important identifier of Americanness is less well understood, though many appreciate its significance. Not only did this first permanent act restricting immigration determine how many arrived, it created, as Coolidge hinted, a racial narrative through which the genius of the country, the strength of its people, and its history and its accomplishments were understood. The 1924 restrictions on

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immigration clarified and strengthened the racial requirements for citizenship embedded in naturalization statutes since 1790.

This article has a dual purpose. First, it reviews the history of the 1924 act, discussing the story of its passage and the *dramatis personae* who ensured its passage, and relates it to previous legislative attempts at immigration restriction. Second, it indicates how the act’s passage was less a triumph for those demanding restrictions upon Eastern and Southern Europeans and more a reformulation of American identity as racially European. The passage of the act may have been viewed at the time as the “Nordic Victory” famously trumpeted by the *Los Angeles Times*,<sup>1</sup> but ultimately, the act defined Eastern and Southern Europeans as at least potentially American. Though some Europeans may have been, according to the act, lower than Nordics on the racial ladder, the Japanese—and all others deemed as Asian—were permanently barred from being American.

The contribution of those whom we can call liberals, who rejected the extreme immigration restrictions and regional differentiation among Europeans, is often missed by historians. That is partially because after the First World War elites throughout Europe and the United States were reticent about asserting their “race superiority.” Instead, they preferred to discuss the need for “racial homogeneity” within national borders.<sup>2</sup>

One of the attributes of expressions of white identity, like that in Lothrop Stoddard’s very popular 1920 book, *The Rising Tide of Color Against White World-Supremacy*, was extraordinary claims of superiority alongside a profound sense of vulnerability. Whereas Stoddard issued a call to arms to the “superior” whites, others worried that outnumbered whites would lose the race war they felt was inevitable. “Inferior” races had, they felt, been inspired by Japan’s victory over Russia and white discord during the Great War. British author J. H. Curle, in a book published in the United States as *Our Testing Time: Will the White Race*

<sup>1</sup> “Nordic Victory is Seen in Dramatic Restrictions” *Los Angeles Times*, April 13, 1924. See John Higham’s seminal *Strangers in the Land: Patterns of American Nativism 1860–1925* (New York: Atheneum, 1973, ©1955), 300.

<sup>2</sup> For the concept of race being removed from polite discussion, see Frank Furedi, *The Silent War: Imperialism and Changing Perception of Race* (London: Pluto Press, 1998). Alistair Bonnett has described the growing tendency for the most internationally minded Britons in the interwar period to replace “white civilization” with “Western Civilization,” which no doubt was replicated in the United States. “From White to Western: ‘Racial Decline’ and the Idea of the West in Britain, 1890–1930,” *Journal of Historical Sociology* 16, No. 3 (2003): 320–48.

*Win Through?* in 1926, predicted: “Every coloured people, in its own particular way, will attempt to throw off white domination.”<sup>3</sup> Many educated Americans began advocating a more diplomatic approach, particularly toward the most powerful and presumed leader of the “colored” nations: Japan. Sociologist Emory Bogardus explained the development of the Survey of Race Relations<sup>4</sup> in 1923, headed by his mentor, pioneering race relations expert Robert Ezra Park:

While a number of Americans were openly expressing their prejudice against the Orientals, there were other Americans who felt that the Japanese were being unjustifiably insulted. While these “fair-play” Americans did not want the Pacific Coast “to be overrun by the Japanese,” they felt that there was a better method of solving the problem than by heaping abuse upon the newcomers.<sup>5</sup>

As Ellsworth Farris, a sociologist at the University of Chicago, wrote: “Every sociologist knows that intolerance and ill-natured opposition produces resistance.”<sup>6</sup>

Besides the need for diplomacy, fear of a coming race war led many to attack the emphasis on Nordics and Nordicism as detrimental to white solidarity. Such a concern led Sir Leo Chiozza Money, one-time Liberal MP and cabinet minister, to criticize Stoddard for his focus upon intra-white racial differences (Money referred to the “Nordiculous theory”). “[I]t is suicidal,” he said, “to encourage racial scorns, racial suspicions, racial hatreds amongst the small minority that stands for White civilisation.”<sup>7</sup> As this article demonstrates, American liberals acted in accord with both these perspectives when they ensured the passage of some of the most

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<sup>3</sup> The citation is from the British version of the book: J. H. Curle, *To-day and To-Morrow: The Testing Period of the White Race* (London: Methuen and Co, Ltd, 1926), 204. Curle wrote: “Through scorn of wisdom, and experience, we have brought about something like chaos in our white affairs,” calling this period the “zenith” of the white race while simultaneously warning of the “disintegrating realities” facing whites.

<sup>4</sup> Organized in 1921 by the Institute of Social and Religious Research (1921–1934), the Survey of Race Relations on the Pacific Coast was funded by East Coast liberal Protestant organizations with the mission to be “the first unpartisan, scientific survey of the Oriental situation on the Pacific Coast.” (Eckard Toy, “Whose Frontier? The Survey of Race Relations on the Pacific Coast in the 1920s,” *Oregon Historical Quarterly* 107, No. 1 (Spring 2006), 36–63, 37.

<sup>5</sup> The fact that Park turned down a role in the investigation into the 1919 Chicago race riot so he could investigate race relations on the Pacific coast gives an indication of where he thought the real problem was. Emory S. Bogardus, “Cooperative Research on the Pacific Coast,” *The Journal of Educational Sociology* 4, No. 9, The Research Number (May 1931): 563–68.

<sup>6</sup> Ellsworth Farris, “The Verbal Battle of the Races,” *Social Service Review* 3, No. 1 (March 1929): 19–29.

<sup>7</sup> Sir Leo Chiozza Money, *The Peril of the White* (London: W. Collins and Co., 1925), 149; cf Bonnett, “From White to Western,” 324.

egregiously racist federal legislation of the 20th century. They made the Pacific, in the words of Park, “our racial frontier.”<sup>8</sup>

The majority of historians focus upon the contribution of ardent racialists to the passage of the 1924 Immigration Act. As Roger Daniels notes, “Both extreme and moderate restrictionists won some victories, but overall the extremists appeared to have the upper hand.”<sup>9</sup> Some scholars have pointed to the contribution of the center ground to the passage of the 1924 act.<sup>10</sup> Daniels and others, like Erica Lee, for instance, argue that the racism embedded in the 1924 Immigration Act is best seen as an extension of the 1882 Chinese Exclusion Act.<sup>11</sup> But, as Mae Ngai notes about

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<sup>8</sup> “It is as if we have said: Europe, of which after all America is a mere western projection, ends here. The Pacific Coast is our racial frontier.” Robert Ezra Park, “Our Racial Frontier on the Pacific,” *Race and Culture* (Glencoe, Ill.: The Free Press, 1950), 138–51, 139.

<sup>9</sup> Roger Daniels and Otis L. Graham, *Debating American Immigration, 1882–Present* (Lanham, MD: Rowman and Littlefield, 1999), 20. See also Roger Daniels, *Not Like Us: Immigrants and Minorities in America, 1890–1924* (Chicago: Ivan R. Dee, 1997), and *The Politics of Prejudice: The Anti-Japanese Movement in California and the Struggle for Japanese Exclusion* (Los Angeles, CA: University of California Press, 1963). John Higham’s still excellent *Strangers in the Land: Patterns of American Nativism 1860–1925* (New York: Atheneum, 1973, ©1955) set the pattern by identifying “nativism”—a populist antagonism towards newcomers that can be tapped into by unscrupulous politicians—as ultimately responsible for the 1924 act, though his well-balanced account also identifies racism as separate from nativism. Brian Gratton goes much further by questioning whether figures such as Henry Cabot Lodge and the Immigration Restriction League acted out of racial thinking or simply political opportunism in “Race or Politics? Henry Cabot Lodge and the Origins of the Immigration Restriction Movement in the United States,” *Journal of Policy History* 30, Issue 1 (January 2018): 128–57. Desmond S. King and Rogers M. Smith divide “racial institutional orders” into a “white supremacist” order and an “egalitarian transformative” order in their “Racial Orders in American Political Development,” *American Political Science Review* 99, No. 1 (February 2005): 75–92, though the “egalitarian transformative” order can hardly be said to exist in the 1920s.

<sup>10</sup> Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1999), p.88, notes: “Although it may be tempting in retrospect to identify the likes of Madison Grant, Lothrop Stoddard, Harry Laughlin, and Albert Johnson as extreme in their views, it is critical to recognize that figures far more central to American political and intellectual life shared many of their basic assumptions—Theodore Roosevelt, Calvin Coolidge, Edward A. Ross, Frederick Jackson Turner, W.E.B. Du Bois, and Charlotte Perkins Gilman are among them.”

<sup>11</sup> Erica Lee, *At America’s Gates: Chinese Immigration during the Exclusion Era, 1882–1943* (Chapel Hill, NC: University of North Carolina Press, 2003). See also Najia Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848–82* (Chicago: University of Illinois Press, 2006), who argues that the experience of the Chinese must be integrated into the history of immigration restriction. Ronald Takaki wrote that racism pre-existed the Chinese in America: “What enabled businessmen to degrade the Chinese into a subservient labouring caste was the dominant ideology that defined America as a racially homogenous society and Americans as white. The status of racial inferiority assigned to the Chinese had been prefigured in the black and Indian past.” Ronald Takaki, *A Different Mirror: A History of Multicultural America*. (New York: Back Bay Books, 1993), 204. Alexander Saxton traced the roots of anti-Chinese sentiment to working-class ideology of the Jacksonian era, seeing it as a permanent feature of the country. See Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Oakland, CA: University of California Press, 1975), and Gwendolyn Mink, *Old Labor and New Immigrants in American Political Development: Union, Party, and State, 1875–1920* (London: Cornell University Press, 1986).

the historiography, “placing the eugenics movement in the foreground of the story of the Johnson-Reed Act has obscured from view other racial constructions that took place in the formulation of immigration restriction.”<sup>12</sup>

This study focuses on those who identified themselves as liberals, building upon, among others, the scholarship of Ngai, Gary Gerstle, Thomas C. Leonard, and Daniel Tichenor.<sup>13</sup> This article goes further, however, in arguing that the drive toward racial categories in 1924 was “top-down.” Liberals did more than passively accept racial categories—they actively argued for them instead of the blanket ban on immigration called for by trade unions. They fashioned crude regional prejudices into a comprehensive racial nationalism. Rather than a victory for Nordic extremists, the act is best seen as the triumph of racial liberals. It shows that Albert Johnson, Republican representative from Washington, crude racist, anti-Semite, and sponsor of the legislation that bears his name, was ultimately less important than his Senate partner, the suave, liberal Republican David Reed, who balked at the racial triumphalism of the time. Despite Reed’s comparative liberalism and internationalist outlook, his contribution broke the deadlock between pro- and anti-immigration forces. Though Reed at first rejected the Japanese exclusion clause for fear of insulting Japan, he and other senators took advantage of a misstep by the Japanese ambassador to vote it through. For more than 40 years, thanks to the efforts of Reed and other liberal supporters of immigration controls, race became the most important foundation of American citizenship.

### **The Immigration Acts Leading up to the 1924 Immigration Act**

The 1924 Immigration, or National Origins, or Johnson-Reed Act, followed briskly upon two previous immigration restriction acts passed in 1917 and 1921. Neither used race as justification for restricting immigrants. The 1917 Burnett bill, as passed by the House, contained a clause barring “Hindus and persons

<sup>12</sup> Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press), 24.

<sup>13</sup> Gary Gerstle noted: “These liberals and others, I contend, were the most influential architects of the twentieth-century nation. They were committed to the civic nationalist tradition in general and to equal rights for ethnic and racial minorities in particular. But many of them periodically reinscribed racist notions into their rhetoric and policies.” *American Crucible: Race and Nation in the Twentieth Century* (Princeton: Princeton University Press, 2001), 88. David Cook-Martín and David FitzGerald, in “Liberalism and the Limits of Inclusion: Race and Immigration Law in the Americas, 1850–2000,” *Journal of Interdisciplinary History* 41, No. 1 (Summer 2010): 7–25, challenge the received wisdom that politically liberal regimes are inherently incompatible with legal discrimination based on race. Thomas C. Leonard, *Illiberal Reformers: Race, Eugenics & American Economics in the Progressive Era* (Princeton, NJ: Princeton University Press, 2016) implicates Progressivism in the racial politics of the 1920s. Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton, NJ: Princeton University Press, 2002) emphasizes the contribution of policymakers, technocrats, and bureaucrats to immigration restriction.

who cannot become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreement as to passports, or by existing treaties.” Despite the fact that Japanese would not be barred because of the “existing treaties” clause, Japan protested, whereupon the Senate amended the Burnett bill by simply removing the offending clauses.<sup>14</sup>

Though those noisily pushing a racial agenda certainly made their presence known,<sup>15</sup> racial theories had yet to dominate Congress or the country. In the House, Albert Johnson argued: “If we are to restrict at all, we must have some method. The percentage restriction will not do for it will admit liberal numbers of all the oriental races, races with which we can not assimilate, and which most of us agree should not be permitted to secure a further foothold in the States of this Union.”<sup>16</sup> In the Senate, James A. Reed of Missouri protested that the amended bill was constructed arbitrarily: “The committee undertook for the first time to exclude people from entering this country by lines of latitude and longitude, not by races, not by intellectual qualifications, not by moral attribute, but by arbitrary lines.”<sup>17</sup>

Some in 1917 had undoubtedly been influenced by Madison Grant’s *Passing of the Great Race*. The book divided races into European, African, Mongoloid, Aboriginal American, and Australasian, with the European “race” further divided. The superior Nordic (or Baltic) race, “domineering, individualistic, self-reliant and jealous of their personal freedom both in political and religious systems,” contrasted with a Mediterranean race, intellectually gifted but physically and morally inferior to Nordics, and the Alpine race, “always and everywhere a race of peasants.”<sup>18</sup> Although the book was influential in the 1920s, its initial reception in 1916 was lukewarm, as Jonathan Spiro has pointed out.<sup>19</sup>

The language employed in 1917 indicates the confusion the idea of “race” still created; eugenics based on preventing “low-grade” births in America vied with restrictions

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<sup>14</sup> Cited in Kenzi Ogomori, “The Ground of Japan’s Displeasure: An Official Statement of the Racial Discrimination Perceived in the Burnett Immigration Bill.” *New York Times*, May 16, 1916.

<sup>15</sup> Representative Everis Hayes of California, noted Japan’s protest but insisted that “this bill does not change existing conditions in reference to any Asiatic who comes or has been coming to the United States except the Hindu.” *Congressional Record*, 64th Cong., Vol. 53, Part 5, March 24, 4784.

<sup>16</sup> *Congressional Record*, 64th Cong., Vol. 53, Part 5, March 24, 4785.

<sup>17</sup> *Congressional Record*, 64th Cong., February 5, 1917, Senate, 2618.

<sup>18</sup> Madison Grant, *The Passing of the Great Race; or, The Racial Basis of European History*, 4th rev. ed. (New York: Charles Scribner’s Sons, 1936), xxviii, 51–52, 227, 228.

<sup>19</sup> Jonathan Spiro, *Defending the Master Race: Conservation, Eugenics, and the Legacy of Madison Grant* (Burlington, VT: University of Vermont Press, 2009), 14.

based on national origins.<sup>20</sup> As James Reed pointed out, though the legislation established an “Asiatic barred zone” that prevented immigration from most countries of the Asian subcontinent, Japan and much of China were not included in the barred zone, so its basis was not wholly racial. The bill presented, at best, a partial victory for the Immigration Restriction League (IRL), formed in 1894 by three Harvard graduates to lobby for selective racial restrictions. In 1917 generalized restriction failed to privilege “Anglo-Saxon” immigration. The statute does not mention race per se—though the Asiatic barred zone certainly suggests the presence of racial issues.<sup>21</sup> Instead, it focused on an attempt to filter the “physically, the mentally, and the morally unfit” from immigrating to the United States.<sup>22</sup> Western and southern representatives, won over to racial restrictions because of their own regional concerns, argued vociferously for the bill in Congress. But most of the discussion on Capitol Hill concerned fear of hordes from Europe, bringing with them their tribal hatreds onto the streets of the United States. Labor consistently supported immigration restriction for fear that competition would drive down wages. Racial concerns, though present, hardly figured.

In 1921 fear of political infection after the Bolshevik Revolution and a postwar influx of labor from Europe—rather than the need to preserve the racial makeup of the United States—spurred the passage of the Emergency Quota Act of 1921, or EQA. Its quotas were based on the last available census of 1910 rather than the census of 1890, as was the later 1924 act. In the shadow of the Red Scare of 1919, and with turmoil in Europe dominating the news, the bill passed the House without a recorded vote and sailed through the Senate, 78–1.<sup>23</sup>

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<sup>20</sup> Some argue that the restrictions on Asian Indians imposed in 1917 reflected racial sentiments. Though there was undeniably prejudice involved, the comprehensive racially demarcated lines between Europe and elsewhere were not present in 1917. Even on the west coast, the Asiatic Exclusion League, which called attention to the “menace” of Indian labor and had long campaigned against Japanese immigration, warned, in the face of statistics showing that very few “Hindu” laborers entered the country, that “Japanese and Italian (emphasis mine) immigration had mushroomed from similar modest beginnings.” Gary R. Hess, “The ‘Hindu’ in America: Immigration and Naturalization Policies and India, 1917–1946,” *Pacific Historical Review* 38, No. 1 (1969): 59–79.

<sup>21</sup> The original House bill—the Burnett bill—contained a section that called for all Japanese and Chinese immigrants to be registered, provoking protests by the Japanese government in particular. See “Orientals Here Protest: Immigration Bill Causes Concern to Their Diplomats,” *New York Times*, February 8, 1916, 3. In May 1916 the Senate Committee on Immigration introduced an elaborate amendment to the House bill that excluded Japan from the Asiatic barred zone and omitted the registration.

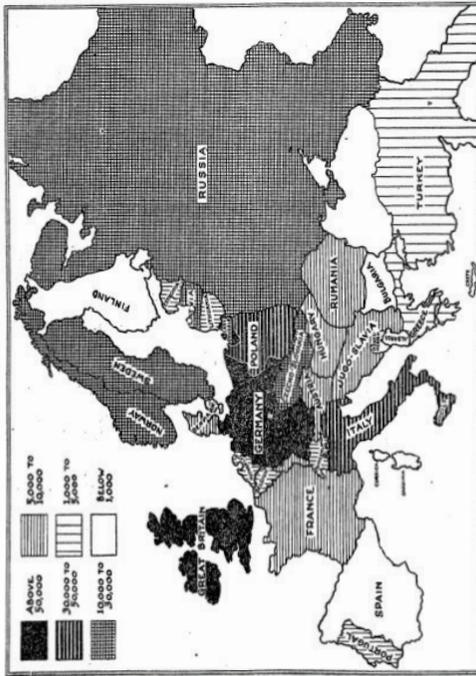
<sup>22</sup> Cited by John L. Cable, speaking on HR7995, February 26, 1924, 68th Cong., 1st sess., *Congressional Record*, pt. 4–6: 3166.

<sup>23</sup> Debate on Immigration, *Congressional Record*, 67th Congress, Vol. 61, Part 1, Senate, May 3, 1921, 968. See also Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882* (New York: Hill & Wang, 2004).

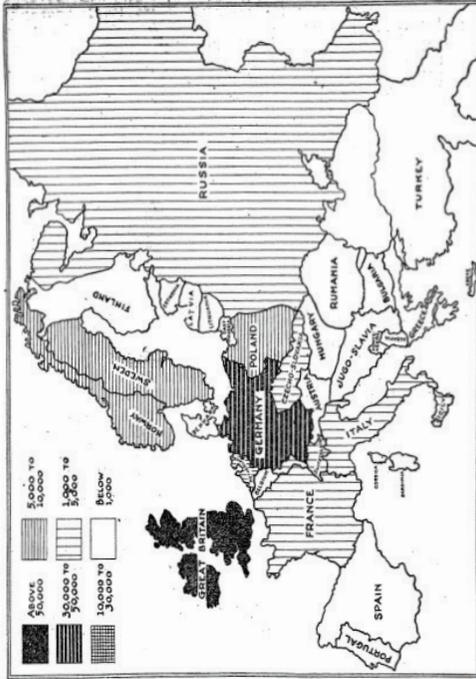
# AMERICA OF THE MELTING POT COMES TO END

Effects of New Immigration Legislation Described by Senate Sponsor of Bill—Chief Aim, He States, Is to Preserve Racial Type as It Exists Here Today

HOW NEW LEGISLATION WILL CHANGE THE FLOW OF IMMIGRATION FROM EUROPE TO THE UNITED STATES



FLOW UNDER THE PRESENT LAW



FLOW UNDER THE PROPOSED LAW  
(Under the House Bill 161,890 Would Be Admitted).

The 1924 Immigration Act divided the world between races that qualified for immigration and those that did not.

The 1924 act, as passed, preserved the Immigration Act of 1917 and replaced the EQA of 1921, retaining its quota formulation. Under the EQA, an annual quota of three percent of the foreign-born of each nationality present in 1910—with total immigration no more than 357,803—was allotted to Europe, Africa, Australia, and those parts of Asia not barred by the 1917 act. The 1924 act replaced the three percent quota with two percent, and most significantly, based the percentage on the national origins of Americans according to the 1890 census, rather than the censuses of 1920 or 1910 (the 1900 census omitted information about national origins). In this emphasis, it was blatantly discriminatory and racist, identifying immigration before 1890—generally from northern and western Europe—as more American than those nationalities from southern and eastern Europe that made up the majority of immigration from 1890 and the years after.<sup>24</sup>

The passage of the 1924 Immigration Act became imperative before the date the Emergency Quota Act expired on June 30, 1924. Besides the restrictions, the 1924 act set up, sensibly, a system whereby visas would be obtained by American consuls abroad rather than having immigrants turned back at their port of entry to the United States.<sup>25</sup> The 1924 act, as it was finally passed in the Senate, was to be revised after three years (which became five years after a delay) in order to give the Presidential Commission of the Secretaries of State and Commerce and the attorney general—which in turn employed a panel of six demographers and statistical experts—time to calculate quotas on a national-origins base. Until then, the quotas were to be equal to two percent of the foreign-born who were residents in the United States as determined by the census of 1890. The experts, faced with great difficulties, took until 1929 to complete their task. After July 1, 1927, the legislation promised, the quotas “shall be a number which bears the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin.”<sup>26</sup> However, it was 1929 before the national origins of Americans in 1920 could be satisfactorily calculated.

The way the legislation eventually worked can be demonstrated with relation to those of British origin. From the U.S. population in 1920 of approximately 110 million people, those of British origin were calculated at 48,195,400. The ratio of

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<sup>24</sup> Debate on restriction of immigration, *Congressional Record*, 68th Cong., 1st Sess., Vol. 65, Part 6, April 2, 1924, 5412.

<sup>25</sup> See Marion T. Bennett, *American Immigration Policies: A History* (Washington, DC: Public Affairs Press, 1963), 51.

<sup>26</sup> No author: “Outstanding Features of the Immigration Act of 1924,” *Columbia Law Review* 25, No. 1 (January 1925): 90–95.

the British share over total population, .43814, is multiplied by 150,000 to give the quota for those of British origin: 65,721. However, those from countries not given a quota were effectively banned in perpetuity from becoming American citizens. This changed the status of the Japanese and Chinese. Under the Gentlemen’s Agreement of 1907–08, Japan had pledged to prevent laborers from Japan emigrating to the United States; the clause in the 1924 legislation unilaterally prevented them from entering as immigrants. Under the Chinese Exclusion Act of 1882—made permanent in 1902—only Chinese laborers were excluded. In 1924 all Asians were deemed unassimilable and therefore prohibited from immigrating to the United States.

There were no restrictions on immigrants from the western hemisphere—immigration from Mexico, Brazil, or Canada, for instance. However, immigration from colonial possessions in the western hemisphere—mostly the West Indies—was charged to the quota of the mother country, effectively slowing black immigration to the United States. Only Canada, Newfoundland, and the Canal Zone were made exceptions. Asians from the Philippines, then a U.S. colony, were exempt from quotas, providing an argument that the racial provisions in the act were not complete (though they would later be excluded during Franklin Roosevelt’s government).<sup>27</sup>

The calculations were made only from the white population, which was divided into “colonial stock”—people whose ancestors came to America before 1790—and postcolonial stock, those who came to the United States after 1790. One of the more racially charged aspects of their 1920 population survey was their specific exclusion from evaluation of “aliens ineligible to citizenship and their descendants”: Asians, generally, descendants of enslaved immigrants, and descendants of American aborigines. As Roger Daniels noted of such a bureaucratic racial clause: “If anyone requires evidence that Congress regarded the United States as a ‘white man’s country,’ this clause—subdivision ‘d’ of Section 11 of the Immigration Act of 1924—provides it.”<sup>28</sup>

The estimates—for there could be little precision, particularly as various nationalities had intermarried—included 41.3 million persons of colonial stock and 53.5 million of postcolonial stock. Nearly all colonial stock was said to have originated in northern and western Europe, 77 percent being of British origin.

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<sup>27</sup> See Kevin Yuill, “In the Shadow of the 1924 Immigration Act: FDR, Immigration and Race,” and Guest Editor’s Introduction in “Immigration, Race and the US Federal Government: Special Edition,” *Immigrants and Minorities* 32, Issue 2 (2014), 183–205.

<sup>28</sup> Rogers, *Guarding the Golden Door*, 55.

Of the postcolonial or immigrant stock, 65 percent originated in northern and western Europe and 27 percent in southern and eastern Europe. The total of the estimates for colonial and postcolonial stock was used in establishing the national origins of the white population. The first proclamation establishing quotas on a national-origins basis was made by President Herbert Hoover on March 22, 1929, and put into effect July 1, 1929.<sup>29</sup>

The act immediately restricted immigration and shut down discussion of the act's national origins basis for decades. Net immigration slowed considerably in the years after the act took effect on June 30, 1924. Walter F. Wilcox, writing in 1930, recorded the annual net migration slowing from 662,357 (total immigration 706,896) in 1924 to 232,945 in 1925.<sup>30</sup> It did not rise above 280,000 and even dropped to negative levels for some years during the Great Depression. The low point of immigration was at the height of the Depression, when 23,068 people immigrated to the United States. The number did not rise above 100,000 until after the Second World War.<sup>31</sup>

However, an analysis of immigration subsequent to the 1924 Immigration Act shows that it did not achieve its aims of balancing immigration in favor of so-called "Nordic" immigration. About one-half of the anticipated northern and western European immigration came to the United States, and nearly twice the proportion of southern and eastern European immigration desired by Congress. The proportion of western hemisphere immigration was five times higher than contemplated in the plan.<sup>32</sup>

After the passage of the 1924 act, particularly after the national origins formula was put in place in 1929, it was barely discussed and, rather curiously from the perspective of today, almost unquestioned. As Aristide Zolberg observed, "[a]lbeit hardly a part of the Constitution, it [the 1924 Immigration Act] had swiftly taken on an aura of legitimacy seldom achieved by ordinary legislation, as representing the American people's inviolable determination no longer to be a nation of immigrants."<sup>33</sup>

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<sup>29</sup> Ibid.

<sup>30</sup> Walter F. Wilcox, "Immigration into the United States," in Walter F. Wilcox, ed., *International Migrations, Volume II: Interpretations* (Washington, DC: National Bureau of Economic Research, 1931), 85–122. Bennett, *American Immigration Policies*, 60.

<sup>31</sup> Mark V. Siegler, *An Economic History of the United States: Connecting the Present with the Past*, (London: Palgrave, 2017), 318.

<sup>32</sup> Bennett, *American Immigration Policies*, 54–55.

<sup>33</sup> Aristide R. Zolberg, *A Nation by Design: Immigration Policy and the Fashioning of America* (London: Harvard University Press, 2006), 291.

### The Debate in 1923–1924

The debate in Congress in 1921 foreshadowed the discussion in 1924. The prime mover of restriction was Representative Albert Johnson, who had pursued a campaign against all things alien: political and religious dissidents, as well as the Japanese. However, in 1921 Johnson directed his fire at “Bolshevists and anarchists” arriving at Ellis Island, importing their European conflicts.<sup>34</sup> Raising the issue of race was left to maverick Democratic Senator James A. Reed of Missouri, a distant cousin of Senator David Reed, who was almost alone arguing for fewer restrictions on European immigration. James Reed argued against “the proposition that, because a human being happens to be born in some other country, he is therefore a menace to this Republic.” But the Japanese and Chinese “ought to be excluded because of racial differences.” Had immigration of the “great white races” of Europe not occurred in the 19th century, he wondered “whether there would have been many more white men in this country than there are colored people at the present hour.”<sup>35</sup> Reed introduced an amendment to the 1917 Immigration bill that would have prevented anyone with African ancestry from entering the country.<sup>36</sup>

The EQA was renewed in 1922 until June 30, 1924. Calvin Coolidge reminded Congress of the issue in his first annual message of December 6, 1923: “America must be kept American. For this purpose, it is necessary to continue a policy of restricted immigration. It would be well to make such immigration of a selective nature . . . and based either on a prior census or upon the record of naturalization.”<sup>37</sup> Congress, however, was reluctant to face the issue. There was little ground given between a strongly restrictionist committee in the House and a Senate committee inclined to listen to big business and others who wanted a more liberal policy. As one pundit put it in March 1923: “Congress has gone home without adopting an immigration policy.”<sup>38</sup> But as the 65th Congress took its place in November 1923, the issue could be put off no longer. The EQA was due to expire in June 1924. Disputes certainly characterized the discussion, despite the slight wariness with which the debates were sometimes conducted and despite, as one historian has claimed, that “surprisingly little” debate occurred.<sup>39</sup>

<sup>34</sup> Speech of Hon. Albert Johnson of Washington in the House of Representatives, Friday, January 14, 1921, *Congressional Record*, Vol. 60, Part 5, 4379.

<sup>35</sup> Speech of Senator James A. Reed, May 3 1921, *Congressional Record*, 67th Cong., 1st Sess., Vol. 61, 949, 952.

<sup>36</sup> Speech of Senator James A. Reed, February 5 1917, *Congressional Record*, 64th Cong. 2nd Sess., Vol. 54, 2317.

<sup>37</sup> The American Presidency Project, <http://www.presidency.ucsb.edu/ws/index.php?pid=29564> (accessed July 5, 2017).

<sup>38</sup> Ruth Crawford, “Standing pat on the quota law,” *Survey*, March 15, 1923, 771–72.

<sup>39</sup> Christina Anne Ziegler-McPherson, “Emanuel Celler/Immigration and Nationality Act of 1965,” in Patrick J. Hayes, ed. *The Making of Modern Immigration: An Encyclopedia of People and Ideas* (Oxford: ABC-Clio, 2012): 198–201, 186.

Albert Johnson had been appointed chair of the House Immigration and Naturalization Committee—which was under the influence of infamous red-baiter A. Mitchell Palmer—largely for his attacks on political radicals.<sup>40</sup> Johnson had been “much impressed” with *The Passing of the Great Race*.<sup>41</sup> But his scattergun approach to restriction alienated many on Capitol Hill.

Both sides began to rally support. The Chamber of Commerce of the United States, through its committee on immigration, suggested the addition of a super-quota of two percent, making a total of five percent, to be chosen on the basis of selective tests and in view of specific labor needs. However, by this time restriction was “firmly in the saddle.” Unions consistently argued for restriction on the basis that their members would face less competition. After the Red Scare, and as unemployment rose after the war, manufacturers couched their requests for labor with demands that it was “patriotically American,” and avoided what they characterized as the “alien hordes” of pre-war immigration.<sup>42</sup>

What were then called “minority influences”—such as humanitarian and internationalist groups on the manufacturers’ side and the Ku Klux Klan and eugenicists on the restrictionists’ side—rose in prominence in the months preceding the act’s passage. Often, though, the testimony resolved little. The eugenics testimony of expert Harry Laughlin to the Immigration and Naturalization Committee dealt less with differences between national origins and more with preventing breeding by “social inadequates,” lending itself to generalized eugenic measures rather than national origin restrictions.<sup>43</sup>

Much more than in 1917 or 1921, the Nordic inferiority/superiority debate captivated the public and Congress in 1924, as congressional debates and newspapers at the time attest, despite the confused nature of the evidence presented. A resolution introduced in December 1922 by Republican Congressman John L. Cable asked why, since “scientific research has brought to perfection certain methods for measuring mental capacity known as intelligence tests,” they could not be used at Ellis Island. Dr. Robert M. Yerkes, of the National Research Council, who directed the first

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<sup>40</sup> See Kristofer Allfeldt, *Race, Radicalism, Religion and Restriction: Immigration in the Pacific Northwest, 1890–1924* (London: Greenwood Publishing Group, 2003), 216.

<sup>41</sup> Higham, *Strangers in the Land*, 313.

<sup>42</sup> Crawford, “Standing pat on the quota law,” 772.

<sup>43</sup> Statement of Harry H. Laughlin, Hearings of the Committee of Immigration and Naturalization, 113. As Laughlin commented in 1921, “Apparently, the quality of our immigration is declining. It is not so much a matter of nationality—that is, northern European blood against southern European blood—as of skimmed milk versus cream in each of the countries sending us immigrants.”

Intelligence Quotient (IQ) tests in the U.S. army during the war, frankly admitted that no scientific methods had yet successfully measured racial differences.<sup>44</sup>

### **The Debates: the “New Immigration” and Insulting Japan**

The debates before the House Committee on Immigration and Naturalization in 1923 and 1924 centered upon “New Immigration,” particularly concerning the use of the 1890 census as the baseline for restrictions. Later, the Japanese Exclusion Clause dominated. Some ardent restrictionists wanted the 1890 census—which was the proposed temporary basis for restrictions under the 1924 act until the national origins clause became operable—to instead become the permanent basis for restriction. Others wanted a complete end to immigration.<sup>45</sup> Many more protested their perceived unfairness in the proposed restrictions to southern and eastern Europeans. The American Federation of Labor (AFL), the American Legion, patriotic societies, and the IRL lined up in favour of the two percent quotas. Not all, however, backed race discrimination. The AFL, the largest lobbying force, advocated temporary suspension of all immigration, urging Congress in 1921 and again in 1922 to “forbid the importation of labor from any country until such time as conditions in our country become stabilized and relations of life more normal.”<sup>46</sup> Many in the AFL, according to the secretary of state, opposed racial categories altogether.<sup>47</sup>

Opponents of the bill ceded ground, particularly in regard to radicalism but later on the importance of racial homogeneity. A minority of the House committee disagreed with Johnson’s bill. In its hearings, Representatives Isaac Siegel, Adolph Sabath, and Robert Mahoney, who attacked the two percent plan, were careful to voice their enthusiastic approval of the purpose of previous immigration efforts. They argued for the welfare of refugees, the interests of manufacturers in securing cheap labor, and the hurt of Americans from eastern and southern Europe who felt their heritage was being belittled.<sup>48</sup> Louis S. Gottlieb, vice president of the

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<sup>44</sup> Ibid.

<sup>45</sup> Democratic Senator William J. Harris of Georgia, for instance, submitted an amendment to the 1924 bill that would have prevented any immigration for five years. The amendment was rejected 36–16. Senator James Thomas Heflin, also a strong supporter of immigration restriction, tried unsuccessfully to amend the legislation on April 18 to restrict all immigration for two years. *Congressional Record*, Senate, April 16, 1924, 6473, 6644.

<sup>46</sup> Minority Report of the Committee on Immigration and Naturalization of the House of Representatives, presented by Adolph Sabath and Samuel Dickstein, Reel 78, No. 133, Immigration–Department of Labor, Calvin Coolidge Papers, Library of Congress, 28.

<sup>47</sup> Letter from Frank Kellog, Secretary of State, to President Coolidge dated July 21, 1927, Reel 79, DoL Immigration, Series 1, Calvin Coolidge Papers, Library of Congress.

<sup>48</sup> Restriction of immigration, Hearings before the Committee on Immigration and Naturalization, House of Representatives, 68th Cong., 1st Sess., on H.R.5, H.R.101, H.R.561 [H.R.6540].

Selective Immigrant Aid Society in Washington, argued that the present laws were sufficient and objected to the implications of racial inequality in the proposed 1924 Immigration Act. Johnson questioned Gottlieb at length about Jewish connections, asking about the vice president of the organization, “Is he a Jew?”<sup>49</sup>

All agreed that dangerous agitators must be prevented from entering the country. The National Committee on Constructive Immigration Legislation, with a membership that was overwhelmingly liberal on immigration,<sup>50</sup> for instance, argued in 1920 for a “wise regulation of immigration” that will prevent “unemployment, unrest and class conflict, conditions which provide the fertile soil for the propagation of Bolshevism.”<sup>51</sup> The *New York Times* noted in an editorial on December 3, 1920: “The protection of the country from the revolutionaries and radicals eager to descend upon it is one essential object of a general immigration law.”<sup>52</sup>

But another important source for consensus urged that races should be separated. Mr. William Edlin, an editor and chairman of United Foreign-Language Newspaper Publishers and Editors of New York, who testified before the Immigration and Naturalization Committee, strongly resisted strictures on Eastern and Southern Europeans. But when asked by a member of the committee if that included Chinese and Japanese, he replied “I do not want to take in those races which do not assimilate readily.” Echoing Senator James Reed’s sentiments expressed in the 1921 debate, Edlin noted that though he had “high regard” for the Japanese, he favored a law for their exclusion. Another testifying to the Committee on behalf of Assyrians protested that “these people are not Asiatic. . . They are of a higher type.”<sup>53</sup>

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<sup>49</sup> Restriction of Immigration, 52.

<sup>50</sup> Jeremiah Jenks, Hamilton Holt, W.W. Husband, Franklin Giddings, George Kennan, Charles R. Towson, Herbert Parsons, John Collier, Charles Stelze, and Sidney Gulick. Gulick was clearly the driving force behind the Committee, however. Records of the U.S. House of Representatives, Record Group 233, HR66A F18.2, Box 486, National Archives Building, Washington, DC.

<sup>51</sup> *Ibid.*

<sup>52</sup> “Immigration,” *New York Times*, December 3, 1920 [editorial]. The same paper published articles decrying the idea of Nordic superiority. See, for example, Remsen Crawford, “New Immigration Net: How Other Causes Have Anticipated Effect of the Dillingham Act. The New Law. Need of an Object Lesson. These Who Are Barred. The New Restrictions,” *New York Times*, July 10, 1921.

<sup>53</sup> Restriction of Immigration: Hearings, 373–74. Statement of Reverend E. W. McDowell of Wooster, Ohio, 774. Even the inveterate defender of Japanese rights Sidney Gulick admitted the racial differences when he called for “rigid restriction of immigration of peoples so diverse from us as are the Japanese, Chinese, and Hindus.” Gulick, Sidney Lewis, *American Democracy and Asiatic Citizenship* (New York: Charles Scribner’s Sons, 1918), 93.

In the past, the need for diplomacy overcame the racial concerns of Californians and others on the west coast about the “invasion” of Japanese. President Theodore Roosevelt sided with the Japanese in the 1906 San Francisco School Crisis.<sup>54</sup> But the newly emerging consensus that race would be the best basis for immigration restriction could not tolerate admission of any Japanese. The Japanese certainly understood the racial implications of the exclusion clause. Japan had objected strongly that they were not given a quota and thus were not equal to European immigrants. A militaristic paper, the *Yoruzo Ohoho*, hinted at war, and the milder, more moderate papers called the move “a demonstration of unfriendliness.”<sup>55</sup> A militaristic publication in Japan declared that the Japanese exclusion clause was neither a simple immigration question nor an economic question, but was rather “part of a racial struggle.”<sup>56</sup>

### Press Responses Around the Country

Many in the press were initially neutral about the Japanese, particularly sections of the press in the south and midwest. As one midwest editor noted: “We cannot see our way clear to ‘whoop it up against the yellows.’”<sup>57</sup> Though southern states had generally accepted the racial arguments of westerners on the grounds of states’ rights against federal interference, the *Clarion-Ledger* of Jackson, Mississippi, attacking the pending immigration bill, indicates some of the contemporary confusion and different regional perspectives on the issue of race. Referring to the Japanese (indicating the confusion about who was white), it said: “This country needs 50m white immigrants of the right kind and ought to have them.”<sup>58</sup>

Of the national papers, the *Washington Post* was strongly supportive of Japanese exclusion: “The decision of Congress to exclude Japanese immigrants from the United States cannot fail to be supported by the people,” though it noted that

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<sup>54</sup> On October 11, 1906, the San Francisco school board passed a resolution demanding that all “Chinese, Japanese or Korean children” were to be sent to the Oriental public school. The move was specifically aimed at Japanese pupils; Chinese pupils already attended this school. The move outraged the Japanese community in San Francisco, who refused to comply with the order and contacted the press in Japan. Roosevelt sided with Japan, warning Congress of the “gravest consequences” of the school board’s action, which he called a “wicked absurdity.” See Thomas A. Bailey, *Theodore Roosevelt and the Japanese-American Crises: An Account of the International Complications Arising from the Race Problem on the Pacific Coast* (Stanford University, CA: Stanford University Press, 1934), 98–99.

<sup>55</sup> See “Jingo Tokio Paper Hints of ‘War’: *New York Times*, April 17, 1924, 5. “JAPANESE CABINET APPROVES PROTESTS: Upholds Matsui’s Conduct of the . . .” *New York Times*, April 23, 1924, 23.

<sup>56</sup> Izumi Hirobe, *Japanese Pride, American Prejudice: Modifying the Exclusion Clause of the 1924 Immigration Act* (Stanford, CA: Stanford University Press, 2001), 24.

<sup>57</sup> T. R. Ybarra, “Country’s Views On Japanese,” *New York Times*, June 19, 1921, 71.

<sup>58</sup> Arthur Brisbane, “Older than 12000 years, Immigrants Build Greatness” *Clarion-Ledger* (Jackson, Mississippi), January 3, 1924, 3.

“the American people prefer that this question should not arise.”<sup>59</sup> The *New York Times*, having rejected the literacy tests before the war, wavered and then finally became a strong supporter of the 1924 Immigration Act, though it published many articles critical of the act. It remained hostile to the “influence of the Ku Klux Klan,” which had advocated quotas for “countries that annually send large bodies of Jews and Catholics to the United States.”<sup>60</sup> Typifying liberal attacks on the exclusion clause, the *Times* underlined the need for segregation between Americans and “Orientals” but insisted that the Gentlemen’s Agreement was the best path forward. “Fortunately, Japan understands this [the need for separation] fully. She has helped us to keep her people out of the United States during the last fifteen years. She recognizes that the two races cannot mix. She admits our right to regulate immigration as we see fit.”<sup>61</sup> But, advocating for the act, the editorial showed the paper to be the voice of the elite: “The true question is not one of ‘superior’ or ‘inferior’ races, but of the homogeneity of the American people.”<sup>62</sup>

### **Albert Johnson and David Reed**

Representative Albert Johnson, a Republican from Washington, chairman of the House Committee on Immigration and Naturalization since 1919, and elected president of the Eugenics Research Council in 1923, is often credited for winning the day for “The Nordic Victory.” Johnson received praise after the passage of the 1924 act, and he was not shy of accepting the accolades. Typical is contemporary Frank L. Babbot’s assessment that “few congressmen have ever rendered more important service.”<sup>63</sup> Historians have followed contemporary accounts, seemingly in an anxious search for a villain in the piece. For instance, Roger Daniels called Albert Johnson the “chief author” of the 1924 act and does not mention his senatorial counterpart, David Aiken Reed.<sup>64</sup> Certainly, many authors see Johnson’s

<sup>59</sup> “Japanese Exclusion,” *Washington Post*, April 15, 1924, 6.

<sup>60</sup> “Immigration Bill Taken Up in House: Party Lines Are Forgotten as Representative Johnson Presents Contentious Measure. City Members Eight Bill While Members From South and West Are Strongly Supporting Proposed Restrictions,” *New York Times*, April 6, 1924.

<sup>61</sup> “Finding a Way Out,” *New York Times*, April 29, 1924.

<sup>62</sup> Later the same month, the *Times* noted about the need to racially restrict Asians: “This objection, it cannot be sufficiently emphasized, does not rest on any imagined superiority of the white race, but solely on the incompatibility of the different racial standards.” “Asiatics in America,” *New York Times*, April 27, 1924.

<sup>63</sup> Cited in Jonathan Spiro, *Defending the Master Race*, 233.

<sup>64</sup> Desmond King emphasised the centrality of Johnson in crafting and pushing through the legislation, seeing him as the “link between eugenicists’ research and immigration policy-making.” *Making Americans: Immigration, Race, and the Origins of the Diverse Democracy* (London: Harvard University Press, 2000). See also Daniels, *Guarding the Golden Door*, 55. Tom Gjelten also emphasises Johnson’s key role in *A Nation of Nations: The Great American Immigration Story* (New York: Simon and Schuster, 2016), 88. See also Hans P. Vought, *The Bully Pulpit and the Melting Pot: American Presidents and the Immigrant, 1897–1933* (Macon, GA: Mercer University Press, 2004).

racialized vision of the United States—one he adopted from the racial theories of Madison Grant, Lothrop Stoddard, and others—as a perspective that the 1924 Immigration Act encompassed.<sup>65</sup>

Johnson was consistent in his efforts at restricting immigration. He had introduced an immigration bill to the House of Representatives in August 1919 and was the force behind the EQA in 1921. As a representative from Washington, he expressed hostility toward Japanese immigration, but he encountered barriers to his ambitions of a restrictive bill. The IRL, sensitive to Japan’s complaints of blatant discrimination, initially opposed Johnson’s 1919 bill, choosing to support others put forward by Senators Thomas Sterling and William Paul Dillingham. After Sidney Gulick expressed support for the latter bills, those hostile to the Japanese gathered around Johnson, and the other bills failed to gain traction. Some scholars go so far as to argue that passage of the EQA was due less to the political power of Albert Johnson than to the unpopularity of Gulick, who had lobbied hard for the alternative bills.<sup>66</sup>

Johnson and his allies incorporated the arguments of John Bond Trevor, a lawyer and son of a prominent financier, who became active in the fight for immigration restriction and who was, according to John Higham, in Madison Grant’s circle.<sup>67</sup> Trevor was also a crucial proponent of immigration restrictions as a credible and practicable means of protecting the United States from Bolshevism. Not long after the EQA became law, Trevor helped argue that the EQA, based as it was on the numbers of foreign-born of various nationalities in 1910, was prejudicial to northern and western European immigrants because it ignored the native-born, the majority of whom were from northern and western Europe. The Johnson bill would restore the racial balance of the country. Of course, for maintaining, as Trevor put it, the “racial preponderance,” the bill made sense.<sup>68</sup>

Few credit the other author of the Johnson-Reed Act, Senator David A. Reed, for his role in passage of the act, though his amendments to the House bill made it palatable to the Senate and ensured that in the long term the 1890 census—unfair to those from

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<sup>65</sup> Kristofer Allerfeldt has Johnson as more nuanced on such issues. See Kristofer Allerfeldt “And We Got Here First”: Albert Johnson, National Origins and Self-Interest in the Immigration Debate of the 1920s,” *Journal of Contemporary History* 45, No. 1 (January 2010): 7–26.

<sup>66</sup> Son Thierry Ly and Patrick Weil, “The Antiracist Origin of the Quota System” *Social Research* 77, No 1 (Spring 2010).

<sup>67</sup> Higham, *Strangers in the Land*, 321.

<sup>68</sup> John B. Trevor, “Preliminary Study of Immigration Problem” in 68th Cong., 1st sess., *Congressional Record*, 5469.



Senator David Reed intended the 1924 Immigration Act to ensure that “the racial composition of America at the present is made permanent.”

eastern and southern Europe—was replaced by a much more comprehensive survey based on the 1920 census. The perfect foil for Johnson, Reed was born December 21, 1880, to Federal Judge James H. Reed and Katherine J. Aiken Reed in Pittsburgh. He attended Shady Side private school—“an institution for the nurturing of millionaires’ sons”—and drew upon his connections to the most powerful businessman of his day, Andrew Mellon, with whom he was familiar enough, according to one article, to call “Uncle Andy.”<sup>69</sup> After attending Princeton, he served as a lawyer and became leader of the Pittsburgh bar. Though he clearly represented Pittsburgh’s elite—defending the United States Steel Corporation from antitrust charges, his liberality and independence of mind led him to support workmen’s compensation, and he drew up the Workmen’s Compensation Act. As such, there is little evidence of his racial views before he entered Congress, though when he spoke to a predominantly black audience in 1927 he criticised “narrow-minded” Americans and called for African-Americans to be allowed into the University of Pittsburgh.<sup>70</sup> After service in the First World War, Reed chaired the Industrial Accidents Committee and became vice president of the Pennsylvania bar until, as a reward from “Uncle Andy,” he was appointed Republican senator in 1922, winning a full-term in November of that year.<sup>71</sup>

<sup>69</sup> William C. Murphy, Jr, “Senator Reed,” *The North American Review* 231, No. 5 (May 1931): 419–27.

<sup>70</sup> “Senator Reed Speaks,” *The Pittsburgh Courier*, January 8, 1927, 1.

<sup>71</sup> “Pittsburgh Man Saw Service With American Army in France,” (Philadelphia) *Evening Public Ledger*, March 29, 1922; “Corporation News,” *Harrisburg Telegraph*, December 2, 1915, 16; “Compensation Up to Special Committee,” *Harrisburg Telegraph*, April 23, 1919, 5; “Blue Sky’ Bill Laid Over For More Study,” *Harrisburg Telegraph*, June 5, 1919, 9.

As a senator at the beginning of 1923, Reed introduced a bill designed to stimulate immigration from northern Europe. Reed’s bill, mirroring the suggestions of the Chamber of Congress’s Committee on Immigration, sought to raise the three percent immigration quota law in the EQA to five percent, but he insisted that it be based not upon the 1910 but on the 1890 census. Reed soon found himself thrust into leadership of immigration matters in the Senate due to the death of Senator William Paul Dillingham in July 1923. Dillingham had long held up the liberal wing of restrictionism against Johnson’s open embrace of theories of racial superiority and inferiority, having even proposed quotas for Chinese and Japanese immigrants. Reed took over as author of the bill in the Senate when Senator LeBaron Colt of Rhode Island, chair of the Senate Immigration Committee, was unwilling and partially unable because of illness.

Reed’s role in the 1924 legislation was to insist upon racial lines being drawn around national origins but doing so by adopting ameliorative language. Reed’s views echoed those of the Inter-Racial Council, a liberal body organized in 1919 by “industrial and racial leaders to carry on the racial adjustments and educational work begun under governmental direction,”<sup>72</sup> and liberal organs like the *New York Times*. He employed a new diplomatic language to justify racial borders; difference—not superiority—became the new watchword. Certainly, Reed was far removed from the vitriolic racism of Johnson. He declared to the Senate that “every Russian is the equivalent of myself in terms of desirability, and the same for every Pole and every Syrian and every Italian; they are all just as good as I am.”<sup>73</sup> Later in the same discussion, he also directly contradicted Nordicism:

I do not think that this matter of immigration can be discussed by making comparisons between the relative merits of this race and that. I do not believe we will get anywhere if we legislate on the theory that that this nation is superior to that . . . That gets us nowhere but into a turmoil of resentment and racial and national jealousy.<sup>74</sup>

In March 1924 Reed introduced an amendment that removed the taint of discrimination against southern and eastern Europeans by creating, in the long-term, a commission that would ultimately study the national origins of Americans in 1920—alleviating the complaint that basing it on the 1890 census discriminated against those from the east and south of Europe. It received

<sup>72</sup> *The Inter-Racial Council* [Pamphlet] (New York: The Inter-Racial Council, 1919).

<sup>73</sup> Debate in Senate on S.2576, April 2, 1924, *Congressional Record*, 68th Cong., 1st Sess., Vol. 65, 5468.

<sup>74</sup> *Ibid.*

support from Senator Henry Cabot Lodge, the veteran anti-immigration campaigner who served on the Immigration Committee in the Senate from 1895 to 1917.<sup>75</sup> In April, Reed, arguing for his amendment, seized upon John Trevor's point. "[W]hat I want is to end the discrimination against the American born," Reed intoned.<sup>76</sup>

Reed made it clear that, rather than a belief in racial equality, he was inspired by the need to avoid racial conflict. "I think it is no exaggeration to say that three or four years ago the military people in Japan and the military people in our country expected a war between the two countries in the not far distant future," he warned when initially opposing the zero-quota for Japan.<sup>77</sup> In response to a question about African immigration on April 9, Reed replied: "No one wants a quota from Africa of that type of immigration. So our calculations deal only with the whites." When asked about the West Indies, he said: "We want to hold down the immigration that has begun to spring up among the negroes of the West Indies."<sup>78</sup>

Reed, speaking for many hours and seldom refusing a question, patiently shepherded the bill past the many barriers that immigration bills had faced over the previous 20 years. His aim was to get agreement around a national origins amendment to the Johnson bill:

I believe that the American people are as nearly agreed on restricting immigration as they are on any other single issue that is now being discussed; and if we are agreed that immigration must be restricted, then obviously it becomes of critical importance that we decide what method of restriction we are to use.<sup>79</sup>

Reed's answer to his own question was race, or as he preferred to call it, national origins. His flexibility and willingness to compromise led toward a definition of American citizenship as essentially racial even while he insisted otherwise. Through loyalty to his business backers he had called for five

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<sup>75</sup> Debate in the Senate on S.2576, April 9, 1924, 5508.

<sup>76</sup> Debate in the Senate on S.2576, April 3, 1924, 5468.

<sup>77</sup> Debate in the Senate on S.2576, April 9, 1924, 5944. Reed clearly had an interest in dealing with Japan that he was to develop later. At the London Naval Conference in 1930 he served as "the active agent in conversations with the Japanese," and the prevention of Japanese parity on naval ships was largely the work of Reed. Conyers Read, "More Light on the London Naval Treaty of 1930," *Proceedings of the American Philosophical Society* 93, No. 4 (September 9, 1949), 290–308, 300.

<sup>78</sup> Debate in the Senate on S.2576, April 9, 1924, *Congressional Record*, 68th Cong., 1st Sess., Vol. 65, 5944, 5945.

<sup>79</sup> Debate in the Senate on S.2576, April 2, 1924, *Congressional Record*, 68th Cong., 1st Sess., Vol. 65, 5468, 5467.

percent quotas but had been an early adopter of the 1890 census as a basis for future immigration, employing John Trevor’s justification for it. Some at the time recognized the significance of the amendment, despite Reed’s lawyerly obfuscation. Senator Colt warned, disapprovingly: “There is another idea that strikes a good many with considerable force—and the distinguished Senator from Pennsylvania has an amendment to that effect—that is, to base the quota upon racial groups.”<sup>80</sup> Reed instead insisted that his amendment sought restriction based on national origins rather than race.<sup>81</sup> He expressed impatience with the seemingly intractable discussions in the Senate: “If we once got into a study of the ethnology involved in this question, we could not pass an immigration law in the next 50 years, because we would not ever be satisfied with the product.”<sup>82</sup>

### The Hanihara Incident

The Senate Immigration Committee had unanimously rejected Johnson’s Japanese exclusion clause.<sup>83</sup> However, the Japanese government filed a vigorous protest on April 10, 1924, against the prohibition of Japanese in the immigration bill passed by the House. Mansanao Hanihara, the Japanese ambassador, pointed out that the “manifest object of the said section 12b (13c in act)<sup>84</sup> is to single out Japanese as a nation, stigmatizing them as unworthy and undesirable.” Hanihara noted that what he asked for would only result in 146 more Japanese immigrants per year.<sup>85</sup>

Hanihara’s letter became the turning point for the discussion. Secretary of State Charles E. Hughes speedily agreed with the Japanese contention, directly challenging the section of the House bill, which prompted discussion on the floors of both houses for and against his action. Hughes was certainly not alone

<sup>80</sup> Ibid., 5412.

<sup>81</sup> Ibid., 5468.

<sup>82</sup> Ibid., 5462.

<sup>83</sup> Ibid., 5475.

<sup>84</sup> This contentious section read “No alien ineligible for citizenship shall be admitted to the United States . . .” See *Takao Ozawa v. United States*, 260 U.S. 178 (1922). In 1915, Takao Ozawa, a Japanese citizen who had lived in the United States for 20 years, filed for U.S. citizenship under the Naturalization Act of 1906, which allowed only “persons of African nativity or persons of African descent” or “free white persons.” Ozawa argued that Japanese persons were whiter than Portuguese and other groups allowed citizenship. Because the Supreme Court held that Japanese were not white or African, they were ineligible for citizenship according to the 1906 Naturalization Act. See also Ian F. Haney-López, *White by Law: The Legal Construction of Race* (New York: New York University Press, 1996).

<sup>85</sup> M. Hanihara and Charles E. Hughes, “The Hughes-Hanihara Letters,” *Advocate of Peace through Justice* 86, No. 5 (May 1924): 309–12.

in his contentions.<sup>86</sup> However, those pushing for a strictly racial immigration bill seized upon one phrase in Hanihara's letter—"grave consequences"—and presented it as an implied threat to the nation, to the democratic will of Congress. Outrage followed in the national news media.<sup>87</sup> Undoubtedly, those who had not wanted to offend Japan felt that they had to defend Congress against foreign interference.

Lodge, the Republican floor leader and chair of the Foreign Relations Committee, tried to focus discussion on Japanese exclusion "in secret legislative session," a proposal seconded by Reed.<sup>88</sup> Whereas there are no records of this meeting, recent scholars echo the sentiment of Hughes' biographer Merlo Pusey in 1951: "It is unbelievable that any substantial number of Senators were really concerned about the alleged 'threat.'" As Misuzu Hanihara Chow and Kiyofuku Chuma argue, some senators officially "wished to avoid having racial segregation written into law" but were "given a way out" by the phrase.<sup>89</sup> In any case, Lodge and Reed took advantage of the Hanihara letter issue and reversed their earlier position of agreement with Hughes. On April 14, Reed argued:

Now, however, Mr President—and I am speaking only for myself in this—I think the situation has changed. I think it ceases to be a question whether this is a deplorable method of restricting Japanese immigration. The letter of the Japanese Ambassador puts the unpleasant burden upon us of deciding whether we will permit our legislation to be controlled by apprehensions of "grave consequences" with other nations if we do not follow a particular line of legislative conduct. I, for one, feel compelled, on account of that veiled threat,

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<sup>86</sup> Edward D. Robbins, a prominent lawyer, wrote to Coolidge on April 24, 1924: "I have met no one whose opinion is likely to be influential, who does not seriously regret the action of Congress. There is a general feeling of all persons who have given any thought to Pacific problems that this clumsy, roughhouse method of alienating the friendship of the Japanese people is likely to be fraught with great evils to this country in our pursuit of a sound and sensible Pacific policy adequately protecting what promises to be immense American interests in the future." Letter from Edward D. Robbins to Calvin Coolidge, April 24, 1924, in Calvin Coolidge Papers, Reel 92, No. 197, Japan Gov & Embassy, 197a Japan.

<sup>87</sup> See, for instance, "Japanese Protest Further Exclusion," *New York Times*, April 12, 1924.

<sup>88</sup> See Masayo Umezawa Duus. *The Japanese Conspiracy: The Oahu Sugar Strike of 1920* (Berkeley, CA: University of California Press, 1999), 303–7; Lee A. Makela, "The Immigration Act of 1924," in Don T. Nakanishi, James S. Lai, *Asian American Politics: Law, Participation, and Policy* (Lanham, MD: Rowman and Littlefield, 2002), 51–80, 60–61.

<sup>89</sup> Merlo Pusey is quoted in Misuzu Hanihara Chow and Kiyofuku Chuma, *The Turning Point in US-Japan Relations: Hanihara's Cherry Blossom Diplomacy in 1920–1930* (New York: Palgrave MacMillan, 2016), 150. *Ibid.*, 149–50.



Most liberals backed the 1924 Immigration Act.

to vote in favor of the exclusion and against the committee amendment.”<sup>90</sup>

The Senate agreed to the amendment with the two percent formula and the absolute prohibition of Japanese or other immigration that did not fit in with the naturalization rules. Those who had not wanted to offend the Japanese but wished to remove the possibility of racial problems within the United States drew a line firmly through the Pacific. Among the differences with Johnson’s bill, the two per cent quota applied only for three years. Thereafter, Reed’s amendment would apply, with the national origins quotas to be determined according to the composition of the population of the country as a whole in 1920 rather than by

the number of foreign-born in 1890. The Johnson-Reed Immigration Quota Act passed in both houses of Congress with overwhelming majorities: 308–58 in the House, and 69–9 in the Senate. A Senate and House Joint Committee was set up to harmonize the bills.

The offense to the Japanese still haunted the proceedings. Immediately, internationally minded Americans urged President Coolidge to veto the legislation. Many, from pioneering social worker Jane Addams to the *New York Times*, implored him to do so to remove the insult the Japanese felt after the act’s passage. A letter signed by 30 college presidents condemned the “inconsiderate action” of Congress. The Commonwealth Club of California, made up of businessmen and professionals, condemned the vote as an “international blunder.” The Japanese maintained reasonable hopes that Coolidge would use his veto power. Coolidge refused, signing the bill into law on May 26, 1924.<sup>91</sup>

The historiography often emphasizes Coolidge’s reluctance to sign the bill.<sup>92</sup> Some suggest that Coolidge objected to the anti-Japanese clause on diplomatic grounds

<sup>90</sup> Debate on S.2576, *Congressional Record*, 68th Cong., 1st Sess., Vol. 65, 6305.

<sup>91</sup> Hirobe, *Japanese Pride, American Prejudice*, 57, 59.

<sup>92</sup> See Hirobe, *Japanese Pride, American Prejudice*; Duus, *The Japanese Conspiracy*; Makela, “Immigration Act of 1924.” David Greenberg notes that though Coolidge made noises about a veto “he never considered that option seriously.” *Calvin Coolidge: The American Presidents Series: The 30th President, 1923–1929* (New York: Times Books, 2006), 84.



President Calvin Coolidge, who had declared “America must be kept American” in 1923, signed the Immigration Act into law on May 26, 1924.

but had little choice but to sign the bill in an election year.<sup>93</sup> Coolidge distanced himself from the exclusion provision, saying he would separate it from the rest of the bill, which he “heartily approved.” If the exclusion provision stood alone, “I would disprove it.”<sup>94</sup> However, there is evidence of an early adoption of racial thinking by Coolidge. As vice president–elect, he wrote an article for *Good Housekeeping* magazine in which he warned: “There are racial considerations too grave to be brushed aside for any sentimental reasons. Biological laws tell us that

certain divergent people will not mix or blend.”<sup>95</sup>

## Conclusion

In the period in between its passage and Coolidge signing the bill into law, David Reed wrote a remarkable *New York Times* article explaining the meaning of the bill. It marked, he said accurately, “a new departure in the American attitude” on race and immigration. The purposes of the bill, he assured critics, was to recognize that America was no longer “a desert country in need of reinforcements” but also to realize that “the races of men who have been coming to us are wholly dissimilar to native-born Americans” and that they were “untrained in self-government.” The purpose was to ensure that “the racial composition of America at the present is made permanent.” Reed finished the article with a flurry:

In my opinion, no law passed by Congress within the last half century compares with this one. In its importance upon the future development of our nation. Its adoption means that America of our grandchildren will be a vastly better place to live in. It will mean a more homogeneous nation, more self-reliant, and more closely knit by a common purpose and common ideal.<sup>96</sup>

<sup>93</sup> See Duus, *The Japanese Conspiracy*, 306.

<sup>94</sup> “President Calvin Coolidge’s Statement on Signing the Immigration Act of 1924” in Judith Gans, Elaine M. Replogle, Daniel J. Tichenor, *Debates on U.S. Immigration* (London: Sage, 2012), 543–44.

<sup>95</sup> Calvin Coolidge, “Whose Country Is This?” *Good Housekeeping* (February 1921): 13–15, 106–7.

<sup>96</sup> David A. Reed, “America of the Melting Pot Comes to an End,” *New York Times*, April 27, 1924, 3.

Reed was, in some ways, right. The 1924 Immigration Act was hardly questioned for 20 years and lasted, nearly intact, until 1966. Within those 40 years, the world was divided by a line drawn from the along the Caucasus mountains, through Armenia to Syria, and through the Mediterranean to the straits of Gibraltar. All within the European enclave were welcome to the United States; those outside were not, though, legally, Africans were eligible for American citizenship because of the Naturalization Act of 1870. The United States maintained a racial definition of desirable immigration and citizenship. When Earl G. Harrison resigned as United States commissioner of Immigration and Naturalization in 1944, he said that the only country in the world outside the United States that observed racial discrimination in matters relating to naturalization was Nazi Germany, “and we all agree that this is not very desirable company.”<sup>97</sup>

The lines drawn in 1924 also helped to change conceptions of “race,” particularly defining “whiteness” more exclusively. In the 1890s, John Wigmore, the famous evidence scholar and treatise writer, thought that if the Chinese were not white, the Japanese certainly were.<sup>98</sup> But the act slammed the door—if it was at all ajar after the *Ozawa* ruling in 1922—firmly on the possibility of Japanese being grouped with European nations. As some observers have noted, what are today thought of as European ethnicities were, before the 1924 Immigration Act, often discussed as races.<sup>99</sup> This legislation and the period surrounding it surely deserve attention in the current discussion about whiteness.

This article highlights the role of liberals in the passage of the 1924 act and argues that the drive toward racial categories in 1924 was “top-down.” Historians have long mistaken the reticence of liberals about the issue of race for disapproval of the racial language and theories behind the 1924 Immigration Act, but their silence reflected their different reasons for supporting the act. The patrician IRL had brought attention to the racial nightmare—that whites would be supplanted by races who could “underlive” them, meaning survive on lower wages. Labor may have been kept awake by this nightmare, but their answer to the problems was to restrict all immigration

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<sup>97</sup> Cited in Ian F. Haney-López, *White by Law: The Legal Construction of Race* (New York: New York University Press, 1996), 44.

<sup>98</sup> *Ibid.*, 62.

<sup>99</sup> See David Roediger, *Working Towards Whiteness: How America's Immigrants Became White: The Strange Journey from Ellis Island to the Suburbs* (New York: Basic Books, 2005), Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1999), and Karen Brodtkin, *How Jews Became White Folks and What That Says about Race in America* (New Brunswick, NJ: Rutgers University Press, 1998).

rather than apportion it along racial lines. Ardent immigration restrictionists, such as Madison Grant and Lothrop Stoddard, feared the loss of control of “Nordics” to other European immigrants more, perhaps, than they feared the invasion of those from outside Europe. But the upper echelons of American society were clearly motivated by fear of a future race war they were desperate to avoid. By incorporating international race anxieties, they defined “whiteness” as Europeanness or Westernness even as they studiously avoided discussing it for fear of provoking racial tensions. David Reed, representative of the Eastern elite, prioritized preserving the status quo by keeping the existing racial makeup of the country, restricting immigration on lines of race above the specific percentages involved.

Reed resolutely defended the national origins concept when, in 1928, Herbert Hoover declared that he would scrap it upon becoming president because it would reduce the numbers of German, Irish, and Norwegian immigrants while raising quotas for those from Britain. Hoover was supported by the United States Chamber of Commerce as well as several ethnic associations.<sup>100</sup> Reed again won the day; upon taking office, Hoover backed down when Reed threatened a filibuster. As the *New York Times*, clearly on Reed’s side, noted: “The truth is that the framers of the national origins plan were less interested in English or Irish quotas than they were in devising a method that would give representation to the entire white population of the United States and that would apportion quotas on an equitable basis.”<sup>101</sup>

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*Picture credits:* “JAPs Keep Moving,” Military Intelligence Service Association of Northern California; Reed article maps, *New York Times* headlines, *New York Times*; David Reed, President Coolidge, Library of Congress.

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<sup>100</sup> See, for example, “Senator David A. Reed—Immigrant Foe,” *Detroit Jewish Chronicle*, June 7 1929, 6.

<sup>101</sup> “National Origins.” *New York Times*, June 15, 1929, 7.