

How a 1924 Immigration Act Laid the Groundwork for Japanese American Incarceration

A Smithsonian curator and a historian discuss the links between the Johnson-Reed Act and Executive Order 9066, which rounded up 120,000 Japanese Americans in camps across the Western U.S.

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By Theodore S. Gonzalves

Curator, National Museum of American History

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A 1942 Memorial Day service at Manzanar, a Japanese American incarceration camp in California [Public domain via Wikimedia Commons](#)

February 19 marks the 82nd anniversary of President Franklin Delano Roosevelt's signing of Executive Order 9066, which led to the incarceration of 120,000 Japanese Americans during World War II. The wrongful imprisonment of these individuals, many of whom were American citizens, represents a shameful chapter in the nation's history.

But the deep currents that precipitated the order—whose legacy will be discussed at an annual Day of Remembrance event hosted by the Smithsonian's National Museum of American History on February 19—stretch back much further than one might expect, encompassing both inclusion and exclusion. On the one hand, American businesses sought cheap labor from Asia and the Pacific for their factories, plantations and fields. On the other hand, nativists pushed for Asian immigrants' removal from the body politic, offering a narrow vision of belonging in the United States.

Beginning in the late 19th century, Congress passed a series of laws restricting immigration from Asia. The 1875 Page Act targeted Chinese women, presuming them to all be prostitutes, while the 1882 Chinese Exclusion Act barred all Chinese laborers from immigration and all Chinese people from naturalized citizenship. The Immigration Act of 1917 created a "barred zone" covering much of Asia; the 1934 Tydings-McDuffie Act, ostensibly drafted to grant the Philippines independence from the U.S., was widely understood to be "exclusion by other means," writes historian Paul A.

Kramer, limiting the number of Filipinos allowed to immigrate to the country to 50 per year.



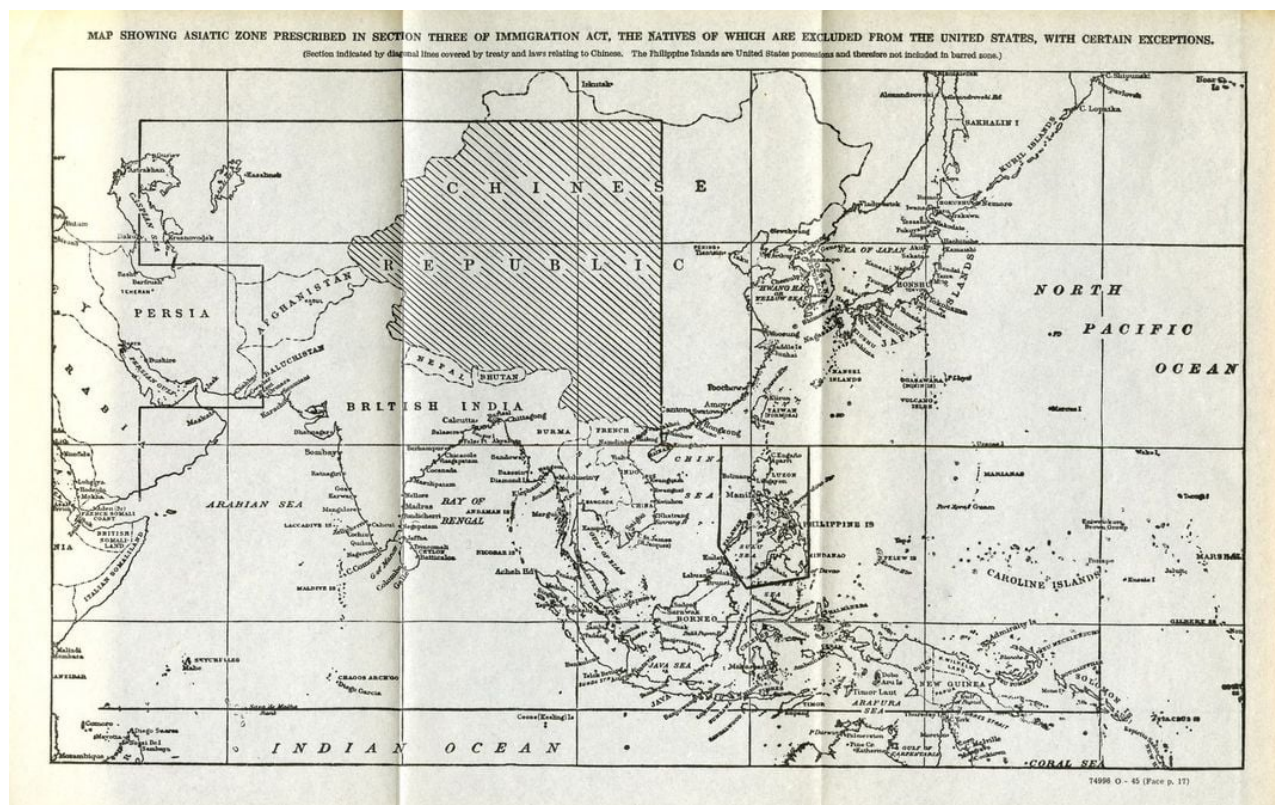
Incarcerated Japanese Americans attend a baseball game at Manzanar in 1943. [Public domain via Wikimedia Commons](#)

One of the currents linked to the 1942 order is a notorious immigration reform act that will mark its centennial in 2024. The 1924 Johnson-Reed Act, a federal law that effectively barred Japanese migration to the U.S. and created a national quota system for European immigrants, sparked ringing (and recurring) debates about who could claim to be an American citizen.

To learn more about the 1924 act's legacy, Theodore S. Gonzalves, a curator of Asian Pacific American history at the museum, spoke with Mae Ngai, a historian at Columbia University and the author of *Impossible Subjects: Illegal Aliens and the Making of Modern America*. (Ngai is currently working on a book about the famed Asian American photojournalist Corky Lee.) Read a condensed and edited version of the conversation below.

How can we think about the 1924 Johnson-Reed Act within the larger context of anti-Asian immigration laws, which had a devastating influence on everything from community formation to labor migration?

All of the anti-Asian immigration laws, especially up until 1917, were passed by Congress in an incremental and ad hoc fashion, responding to specific moments of nativist agitation or, in some cases, decades of nativist agitation. They targeted specific groups at specific times, for example in 1875 and 1882, when Chinese immigrants were most obviously targeted. The Barred Zone Act of 1917 was aimed primarily at South Asians. Although it didn't name them in the legislation, it referenced their geographical region.



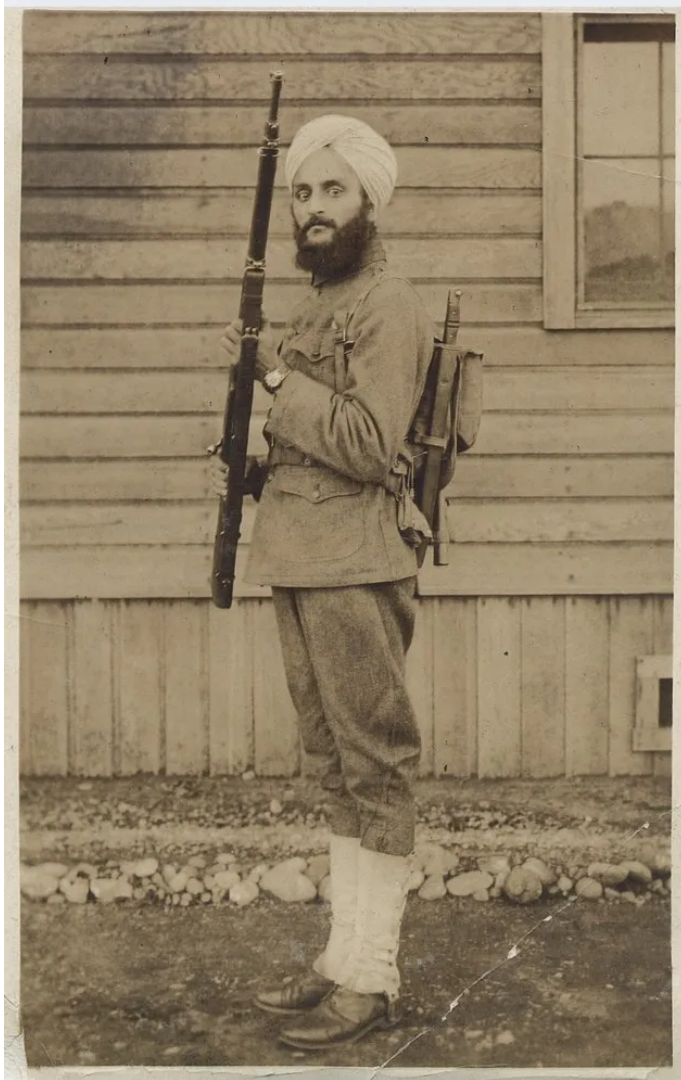
A map of the Asiatic Barred Zone, as defined by the Immigration Act of 1917 [Public domain via Wikimedia Commons](#)

Another thing to consider that wasn't a law—instituted in 1907—was the so-called Gentleman's Agreement between the U.S. and Japan, in which Japan voluntarily agreed to restrict the number of [emigration passports] it would give to laborers. And this did not satisfy the Asiatic Exclusion League, which was the main organization lobbying for Japanese exclusion. [Then-President Theodore] Roosevelt [approved the Gentleman's Agreement] because Japan, unlike other Asian countries at the time, was a powerful nation. It had become a world player at imperialism in its own right, so the U.S. was hesitant about passing a law against Japanese immigration.

In the years following the Gentleman's Agreement, U.S. attitudes toward Japanese continued to worsen. How was this shift reflected in the 1924 federal legislation, which sparked considerable backlash in Japan?

The 1924 act was what the Asia exclusion lobby had always wanted. It was statutory exclusion, not subject to diplomatic negotiation or judicial review. And it was comprehensive: It applied to all Asians [including the Japanese], all people considered "ineligible to citizenship," which was a euphemism because the Supreme Court had ruled that Asians were not eligible for naturalization in the 1923 case *United States v. Bhagat Singh Thind*. So that gave Congress a concept it could use that did not appear on the surface to be discriminatory but in fact served very clearly racist aims.

The Thind case and the 1924 law perfected Asiatic exclusion, baking in the ideas that started with Chinese exclusion—that Asians are always foreign, can never be loyal to the U.S. and are always potential if not actual enemies of the U.S. This is how we got to the internment of 1942.



Bhagat Singh Thind in

1918 [Public domain via Wikimedia Commons](#)

What was unique about the 1924 act?

It's often called the National Origins Quota Act. Before its passage, there had been no numerical limit on immigration to the U.S. The limit that Congress imposed in 1924 was 150,000 people. Before World War I, the average annual number of people coming into the U.S. was one million, so that's 15 percent of the prewar average.

The 1924 act had what I call a three-way border policy, meaning it had different policies for different borders of the country. On the U.S.'s border with the Pacific Ocean, the policy was total exclusion of all Asians. On the Atlantic border, the policy was national origin quotas. That was a very complicated system of determining how those 150,000 visas were going to be distributed across all countries in the world, but mostly how they would be used in Europe.

The system was discriminatory because it deliberately gave bigger quotas to countries like the British Isles, Germany and Scandinavia, and tiny quotas to Italy, Poland, Russia, Hungary and Greece. [Editor's Note: The act set quotas at 2 percent of a given immigrant group's population in the U.S., as recorded in the 1890 census. Because these figures were out of date by 1924, they reflected past immigration trends that favored Northern and Western Europe over Central and Eastern Europe.]



A

1910 photograph of a family of Italian immigrants [Public domain via Wikimedia Commons](#)

The third border was with the Western Hemisphere countries, Canada and Mexico, which had no numerical restrictions, no quotas. We still had, formally speaking, open borders in the Western Hemisphere, and that was done for diplomatic reasons as well as labor market reasons, especially in the Southwest, which was drawing farm agricultural labor from Mexico.

This is a system that was far from being one size fits all. There wasn't one set of criteria that applied equally to all nations. Beyond that,

nations with largely nonwhite populations were treated differently than those with largely white populations.

Exactly. This policy was racist, and it revealed different kinds of racisms—plural—toward different hemispheres, different countries and different races of people. It had an egalitarian aspect, as every country had to have 100 as the minimum quota. So China had a quota of 100, but no [ethnically] Chinese people could use it, [only white residents of China who were eligible for naturalization in the U.S.]

Why is the 1924 act relevant today?

We would do well to remember that legacy of numerical restriction. A lot of immigrants come to the U.S. today, but it's really highly restrictive in terms of how many people can come in as legal permanent residents.



A Chinese American family at home in Denver in 1914 [Public domain via Wikimedia Commons](#)

Asian exclusion laws [limiting immigration to the U.S.] started to fall during World War II and continued to fall through 1952,

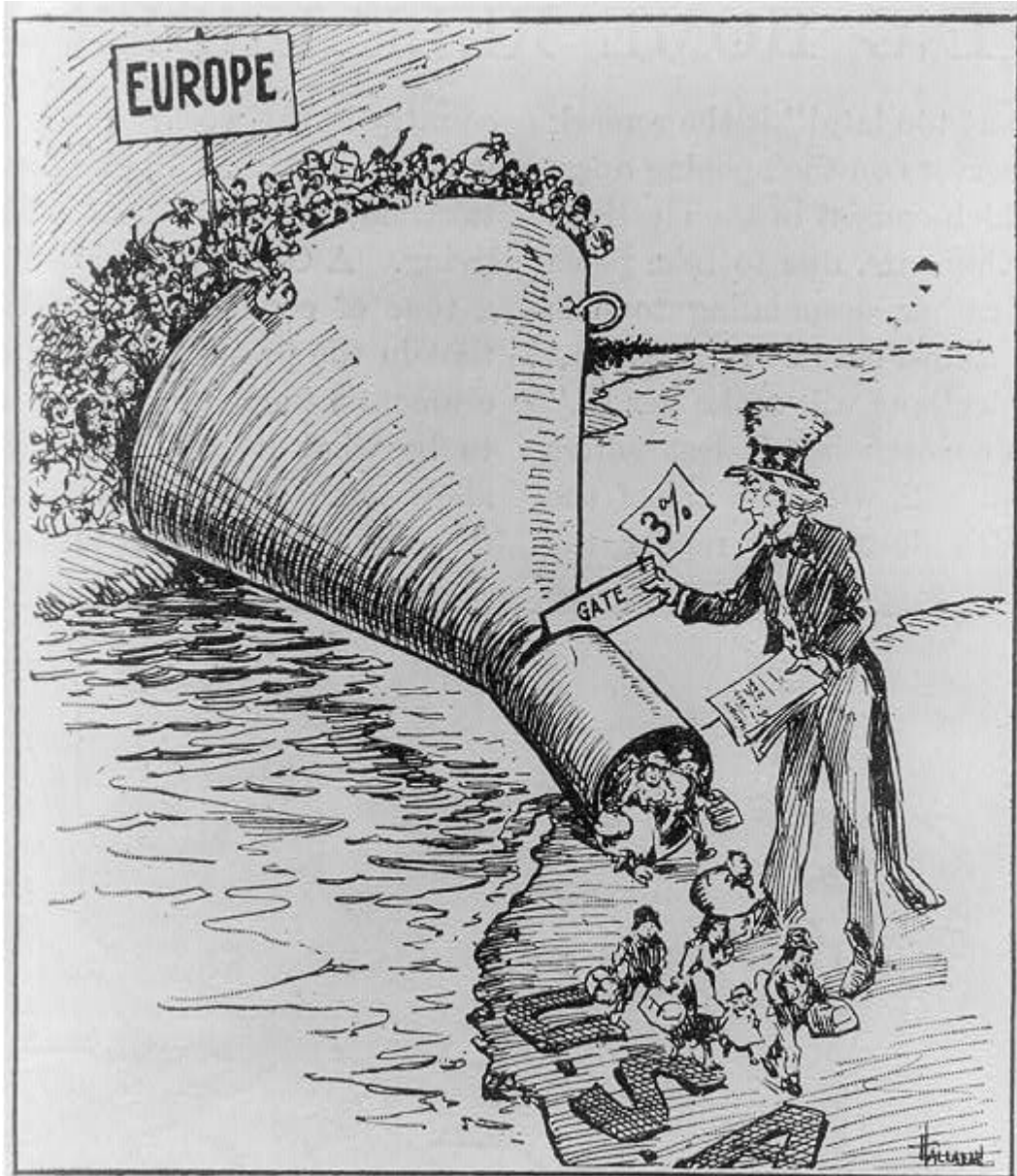
[when legislation effectively overturned all bans on Asian immigration].

Because the 1924 law was so patently racist, national origin quotas were repealed in 1965. But what replaced them was the idea that every country would be treated the same. Two hundred and ninety thousand was established as the [total annual number of immigrants allowed into the U.S.], and it was determined that [no] country could have more than 20,000

[immigrants per year]. That was a kind of formal equality that was consistent with the civil rights era.

[Editor's Note: Today, American citizens can sponsor immediate family hoping to enter the country; 226,000 green cards are reserved annually for other categories of relatives. Immigrants seeking entry for work reasons can apply for 140,000 green cards allotted across five employment-based categories. Other avenues for legal entry include diversity visas and applying for refugee status.]

We treat every nation the same, but countries are not individuals. If you're going to treat Mexico the same way you treat Belgium, and if you're going to treat India the same way you treat New Zealand, you will have vastly different outcomes. Migration is not the same for every country but rather [shaped by] economic and political conditions, relations with the U.S., and historical immigration patterns.



THE ONLY WAY TO HANDLE IT.

A 1921

political cartoon about European immigration to the United States [Public domain via Wikimedia Commons](#)

There are today tremendous backlogs in the wait time for a visa from Mexico, India, China and the Philippines—four countries that always max out on their quotas. That is, I think, the single most important reason why we have

undocumented or unauthorized migrations, because there's too much of a backlog. The backlog is 20 years in some cases. We have a policy where, purportedly, everybody's treated the same. But it fuels the perception of a crisis when, in fact, the crisis could be addressed if you change the numbers [allowed in from a specific country].

1924 was the capstone of several decades of nativist and racist agitation against Asians, as well as Southern and Eastern Europeans. And we see that happening again today. It's no accident that [the 2024] presidential campaign is kicking off with a kind of hysteria about the immigration crisis at the border. This is what started out former President [Donald] Trump's [2016] campaign. And [former Attorney General Jeff Sessions] actually said he thought the 1924 immigration law was a model for our immigration policy [in a 2015 interview]. So we're going to see a lot of this rhetoric, and a lot of it is reminiscent of what we saw 100 years ago.

Research has shown that for years, [many] Americans have believed that we should welcome immigrants, that immigrants contribute to our society, and that we should not have policies that discriminate against people from Latin America or from Asia.

The American History Museum's annual Day of Remembrance event, featuring a panel discussion on Executive Order 9066, will take place on February 19 at 1 p.m. Free tickets are available online.