

Foreignness at Home: Enemy Alien Control during
World War II

by

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Chapter 1: Introduction

Immediately following Japan's attack on Pearl Harbor on December 7, 1941, President Roosevelt issued three nearly identical presidential proclamations pursuant to the Enemy Alien Act of 1798, each designating an internal immigrant population of the United States as 'enemy aliens.'¹ Proclamations 2525, 2526, and 2527 authorized United States' officials to arrest and detain aliens from Japan, Germany, and Italy, respectively, who were potentially or allegedly dangerous. Except for the referenced nation and its nationals, each text was identical. Thus, in this earliest articulation of governmental policy toward resident German, Italian, and Japanese nationals, all three immigrant communities were treated equally. However, the eventual differential treatment of these three populations—and how we can account for such differences—is the focus of this study.

The wartime treatment of Japanese Americans—both foreign-born aliens and American-born citizens—has been the subject of a vast body of scholarship and, largely as a result of a movement advocating apology and redress that culminated with the government's Commission on Wartime and Relocation and Internment of Civilians in the early 1980s, now occupies a prominent place in the American public's sense of collective history. What has received much less attention, both from scholars and the general public, is the fact that German and Italian immigrants were

¹ The terms *enemy aliens* and *alien enemies* were used interchangeably; inconsistent usage in the titles and records of the government programs is common. In this thesis, I will use the phrasing *enemy aliens* unless directly quoting or referring to a particular program or act that utilizes *alien enemy* instead.

also investigated, arrested, detained, and interned during World War II.²

Within seventy-two hours of the attack on Pearl Harbor, the FBI and other law enforcement agencies arrested 3,836 enemy aliens throughout the United States.³ These initial arrests represent the beginning of the selective internment program carried out by the government throughout the entirety of the war. In contrast to the relocation program on the West Coast run by the War Relocation Authority, this Enemy Alien Control Program was overseen by the Department of Justice and operated on a selective, case-by-case basis. By February 16, 1942, two months after Pearl Harbor and three days before President Roosevelt's issued Executive Order 9066, 2,192 Japanese, 1,393 Germans and 264 Italians had already been interned.⁴ In total, over 31,000 enemy aliens and their families were interned over the course of the war, including 10,905 German, 3,278 Italian, 11,229 Japanese residents of the United States.⁵ In addition, around forty thousand European enemy aliens were paroled, with "restrictions on their constitutional liberties."⁶

² In *Personal Justice Denied*, the report of the United States Commission on Relocation and Internment of Civilians, roughly twelve pages out of 359 discuss government control of the German population. See Fox, Holian, Krammer, and Schmitz in bibliography for works focusing on German and Italian internment. Schmitz's 2007 dissertation is the first comprehensive work on all three immigrant groups.

³ FBI Directorate of Intelligence, "FBI Intelligence Timeline," <http://www.fbi.gov/about-us/intelligence/timeline>.

⁴ United States: Commission on Wartime Relocation and Internment of Civilians, *Personal Justice Denied* (Washington, D.C.: Civil Liberties Public Education Fund, 1997), 284.

⁵ This total number of internees includes families of internees who voluntarily interned themselves and also includes about 6,000 German, Italian, and Japanese nationals who were deported from Latin American countries and interned in the United States. A repatriation and internee exchange program with Axis nations was also carried out during the war. These related programs are outside the scope of this thesis, which will focus solely on the cases of enemy aliens who had immigrated to and were residents of the United States. National Archives, "Brief Overview of the World War II Enemy Alien Control Program," <http://www.archives.gov/research/immigration/enemy-aliens-overview.html>; John Eric Schmitz, "Enemies Among Us: The Relocation, Internment, and Repatriation of German, Italian, and Japanese Americans During the Second World War" (Dissertation, American University, 2007), 617.

⁶ Don Heinrich Tolzmann, *The German-American Experience* (Amherst, New York: Humanity Books, 2000), 338.

On February 19, 1942, President Roosevelt issued Executive Order 9066, which infamously laid the foundation for the Japanese relocation program on the West Coast. Executive Order 9066, like the preceding three presidential proclamations, did not actually specify or discriminate against Japanese residents in comparison to German and Italian residents. Rather, Executive Order 9066 authorized the removal of any persons from designated military zones. As a large body of existing scholarship has documented, this order enabled the government to implement a massive, systemic relocation of 120,000 Japanese, both aliens and citizens, on the West Coast. However, Executive Order 9066 also authorized an individual exclusion program, which was responsible for excluding several hundred Germans and Italians, including some citizens, from designated military zones and also imposed restrictions, such as curfews, on those enemy aliens allowed to remain in the zones.

In its report *Personal Justice Denied*, the Commission on Wartime Relocation articulates the fundamental policy difference that distinguished the treatment of German and Italian immigrants, both through the Alien Enemy Control Unit's selective internment program and the individual exclusion program, from the relocation of the Japanese population on the West Coast:

This policy of exclusion, removal and detention was executed against 120,000 people without individual review, and exclusion was continued virtually without regard for their demonstrated loyalty to the United States... no mass exclusion or detention, in any part of the country, was ordered against American citizens of German or Italian descent. Official actions against enemy aliens of other nationalities were much more individualized and selective than those imposed on the ethnic Japanese.⁷

⁷ Commission on Wartime Relocation, *Personal Justice Denied*, 3.

Thus, the differential treatment of immigrants and citizens of Japanese, German, and Italian descent was not only an issue of scope, but also seems to have been tethered to conceptions of individuality and loyalty, which problematically differed among immigrant groups.

The Commission on Wartime Relocation noted that, “the two typical explanations of the divergent treatment” of each immigrant and heritage community “have been numbers and political influence.”⁸ In the German and Italian cases, the internal populations were so large, and dispersed, that “any major program of exclusion or detention would have been very difficult to execute, with enormous economic and political repercussions.”⁹ While both the logistical and political argument certainly contributed to the policy formulation of the differential treatment of each immigrant group, the Commission on Wartime Relocation nonetheless argues that “most critical was the public and political perception of the lesser danger presented by Germans and Italians.”¹⁰

My thesis begins with this conclusion, and expands upon the Commission’s assertion by utilizing a new historiographical framework to integrate these ideas of public perception and danger into a descriptive model that provides a novel way to consider the differential treatment of German, Italian, and Japanese immigrants. Given the volume of existing scholarship on the treatment of Japanese Americans, this thesis will primarily focus on the Alien Enemy Control Unit’s selective investigations and apprehensions of individual German and Italian immigrants residing within the United States, using the Japanese case as a comparative point of

⁸ Ibid., 289.

⁹ Ibid.

¹⁰ Ibid., 286.

reference. Ultimately, the further exploration of this often ignored program allows for a more nuanced understanding of the Japanese case within the context of the treatment of all enemy aliens during World War II.

From Strangers to Foreigners

As a “general history of the anti-foreign spirit,” John Higham’s *Strangers in the Land: Patterns of American Nativism, 1860-1925* is considered the cornerstone of the historiography of how Americans have conceived of and interacted with immigrants.¹¹ While public opinion about immigrants has frequently taken the form of negative attitudes, the degree and intensity of these feelings has been subject to much variation, sometimes surging visibly into the public sphere and sometimes remaining hidden, masked by dangers deemed more important at the time. Yet, as Higham makes clear as the premise of his argument about the nature and character of American nativism, an anti-foreign spirit has been a continual and persistent element in American society and public opinion. Fluctuations in expression were often the result of shifting external conditions that altered the characterization of how strangers were perceived, whether because of economic hardships, periods of concern about radicalism and anarchy, wartime, or other domestic or international affairs that sparked some sort of xenophobic outburst.

The terminology in Higham’s title tellingly captures America’s encounters with foreignness. The identification of immigrants as strangers implies a sense of

¹¹ John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick, New Jersey: Rutgers University Press, 1955), ix.

unfamiliarity that could apply to any immigrant. Underneath a sometimes more benign unfamiliarity associated with strangers, lies the latent potential of a threat or danger. From the possibility of harm that the presence of strangers poses, the contours of the persistent perspective on immigrants as a possible threat, let alone a national menace, takes shape. However, while strangers are seen as potentially threatening, stranger is not a permanent classification. Strangers can become familiar.

The transience of the term, vacillating between the suggestion of danger and the possibility of familiarity, is appropriate as it parallels the waves of anti-foreign and nativist sentiments that have fluctuated throughout different periods of American history. In his definition of xenophobia, Thomas J. Curran specifically explains the phenomenon as “the distrust of strangers because of the fear that they pose a threat to the culture of the natives.”¹² The idea of strangers, then, is deeply embedded in the discourse of American anxiety about anti-foreign elements.

However, the term stranger is inherently limited in its capacity to express the positioning of immigrants in relation to the rest of American society. While a stranger can become familiar, an individual who has already achieved a sense of familiarity, a neighbor, for example, cannot become a stranger once again. Thus, the transience implied by the term stranger, is one directional and does not account for the type of encounters in which someone who was previously deemed familiar becomes, as a result of shifting circumstances, newly threatening again, or newly foreign. As the cases of Germans, Italians, and Japanese in America demonstrate, throughout the wartime era perceived familiarity and foreignness proved to be

¹² Thomas J. Curran, *Xenophobia and Immigration, 1820-1930* (Boston: Twayne Publishers, 1975), 12.

dynamic and multi-directional, with friends, neighbors, acquaintances, coworkers, employers and employees all being transformed from figures of familiarity and association to manifestations of an unknown, unpredictable foreign threat. These people were not wholly strangers, but they were certainly foreigners, and perceived to be alien to the American way of life.

Enemy Images

In times of war or perceived danger, the latent threat of foreigners becomes more exposed and real. In the context of viable concerns over espionage and sabotage, foreigners can literally become enemies. As such, different emotions and representations coalesce around a particular enemy image. According to historian Ragnhild Fiebig-von Hase, “in its widest and colloquial form, an enemy image is a culturally influenced very negative, and stereotyped evaluation of the “other”— be it individuals, groups, nations, or ideologies. ‘Others’ are classified as ‘enemies’ if their appearance is coupled with some kind of extreme threat perception.”¹³ In other words, as historian David Kennedy makes clear, “all enemies are others, but not all others are enemies.”¹⁴ While in-group and out-group dynamics play a significant role in the creation of enemy images, ultimately enemy images originate on the basis of personal emotions. Fiebig- von Hase explains that “enemy images are the result of

¹³ Ragnhild Fiebig-von Hase, "Introduction," in *Enemy Images in American History*, ed. Ragnhild Fiebig-von Hase and Ursula Lehmkuhl (Providence: Berghahn Books, 1997), 2-3.

¹⁴ David M. Kennedy, "Culture Wars: The Sources and Uses of Enmity in American History," in *Enemy Images in American History* ed. Ragnhild Fiebig-von Hase and Ursula Lehmkuhl (Providence: Berghahn Books, 1997), 349.

individual perception, passion, and reason, and every functional utilization of enmity has to address the individual's capacity for aggression and hatred."¹⁵

In addition to this process of image formation, "enemy images also provide the chance to reduce a complex and often unmanageable given reality into a stringent bipolar friend/enemy alternative."¹⁶ By serving as a cognitive shortcut, enemy images ignore the nuanced reality of the peoples they represent. In the cases of Germans, Italians, and Japanese in America during World War II, the complexity of their positions in American society, and especially the repercussions of the specificity of their immigration experiences, were largely misunderstood, though to different extents for each group.

As with the related concept of foreignness, enemy images can represent both nations as a whole and minority groups within a state. However, despite this broad application of the term, one must differentiate between internal and external enemy images as "there are different rules for handling conflict within and between modern nation-states."¹⁷ While the images may be consonant, there is nonetheless a distinction between images of an external enemy and images of enemies within a society. However, such a distinction can be difficult to maintain. According to Fiebig-von Hase, "the line between the external and the internal enemy is difficult to draw for an immigrant society such as the United States, in which citizens may still feel a double loyalty towards their old and their new home country."¹⁸ This potential not only for dual loyalty, but dual identities, marked by the phrase 'hyphenated

¹⁵ Fiebig-von Hase, "Introduction," 3-4.

¹⁶ *Ibid.*, 31.

¹⁷ *Ibid.*, 3.

¹⁸ *Ibid.*

Americans,' has characterized American concern over immigration and problematized notions of familiarity and foreignness. As Fiebig-von Hase makes clear, "the ideological dissociation from the mother country was extremely important for the development of the American identity, since there were no ethnic or other common attributes among the settlers that could be used for this purpose."¹⁹ Commitment to the American way of life became the criteria for determining whether new immigrants fell into the in-group or out-group, and then whether they were represented as either friend or enemy. While out-group characteristics may be tolerated in some cases, "differing behavior and beliefs are suspected as disloyal in moments of national crisis."²⁰ World War II, as a great national crisis, thus produced not only the creation and propagation of enemy images of internal populations, but also led to the translation of such images into official policy.

American Nativism

In his landmark study, John Higham identifies nativism as "distinctively American."²¹ The persistent, yet ever changing, waves of newcomers that reached American shores created multiple levels of otherness, or degrees of foreignness, stratified American society along ethnic and cultural lines, and precipitated a series of xenophobic outbursts from different segments of society, aimed at different immigrant groups, at different historical moments. The migration and movement of different peoples inevitably leads to "cultural antipathies and ethnocentric

¹⁹ Ibid., 23.

²⁰ Ibid., 24.

²¹ Higham, *Strangers in the Land*, 3.

judgments,” but, Higham argues, in the American case “nativism translates them into a zeal to destroy the enemies of a distinctively American way of life.”²²

A nativist impulse has been a persistent reaction to encounters with foreignness since the inception of the United States. The infamous Alien Acts, passed in 1798, represent the expression of early American nativism. In their broadest application, the Alien Acts made it more difficult for foreigners to become citizens by extending the residence requirement for naturalization. The president was granted the authority to deport any foreigner by executive decree and, specifically, was given authority over the treatment of enemy aliens in the case of war.²³ While the majority of the statutes contained in the Alien Acts were either repealed or allowed to expire within a few years, their passage ingrained within both the American psyche and the legal system an underlying conviction that fear or suspicion of foreigners was natural and justifiable. Unlike the rest of the statutes, however, the Alien Enemies Act remained on the books, unused for over one hundred years until World War I exposed the latent threat of enemy aliens on American soil.²⁴

Higham equates nativism with a form of nationalism, positioning both tendencies in a “nationalist- nativist nexus.”²⁵ In cases where national feeling is especially heightened, such as wartimes, a perceived “failure of assimilation” leads to “the charge of disloyalty,” which in turn is often “colored and focused by a persistent conception about what is un-American.”²⁶ In the context of such persistent

²² Ibid., 4.

²³ Ibid., 97.

²⁴ Ibid.

²⁵ Ibid., 4.

²⁶ Ibid.

conceptions of un-Americanness, nativism can be viewed as resulting from a spectrum of various reactions to foreignness.

Higham's conception of anti-foreign American nativism is derived from his analysis of three separate, yet interrelated, 'nativist traditions': the anti-Catholic tradition, the anti-radical tradition, and the Anglo-Saxon tradition. While the anti-radical and anti-Catholic nativist traditions define what is un-American, the Anglo-Saxon tradition more explicitly identifies what is supposed to constitute Americanness. Higham argues that "the concept that the United States belongs in some special sense to the Anglo-Saxon 'race' offered an interpretation of the source of national greatness."²⁷ Emerging before biological conceptions of race and their applications within scientific racism, the insistence upon the predominance of Anglo-Saxons in the United States was initially employed by expansionists as justification for their aggressive campaigns to extend American principles across the continent.²⁸ Thus, though not prominently evoked by nativists until the late nineteenth century, the idea that Americanness was tethered to an Anglo-Saxon norm has nonetheless consistently shaped American conceptions of the self and others. While radicalism and Catholicism still colored conceptions of foreignness, it was the issue of race that remained most relevant at the time of World War II, and proved to be the most potent in sparking nativist sentiment.

²⁷ Ibid., 9.

²⁸ Ibid., 11, 10.

A Spectrum of Foreignness

As “the major ideological outlines of American nativism,” these three nativist traditions offer ‘criteria’ to ascertain how foreign an immigrant group is likely to be perceived by mainstream American society. While situational factors and external conditions shaped perceptions of immigrants and altered the degree and intensity of nativist sentiment, underneath these contingent circumstances lay a more fundamental factor: an attribution of foreignness, a degree of how foreign, unfamiliar, and removed these new people seemed to be in relation to mainstream American society. Differing perceptions of and reactions to the presence of Germans, Italians, and Japanese in America represent distinct points along a spectrum of foreignness. The discrete ‘degree of foreignness’ popularly assigned to each immigrant community shaped their differential treatment in World War II. German immigrants and citizens of German descent, though the target of xenophobic hysteria during the First World War, were deemed to be more familiar and benign in the 1930s than either Italians or Japanese. Despite the presence of active pro-Nazi organizations, German enemy aliens were not deemed en-masse a political and security danger, though they were often the targets of investigations and surveillance. In comparison, Italian immigrants and citizens of Italian descent were considered to be more foreign because of their Catholicism and Southern European roots, which given the prevailing racial hierarchy at the time made them appear ‘less white.’ Yet, despite these deviations from the prominent Protestant Anglo-Saxon norm, they were apparently familiar enough to escape being targeted by a systematic federal policy. The Japanese, however, were

perceived as most racially and culturally distinct from this Christian Anglo-Saxon norm. They were therefore regarded as the most foreign, and on that basis, in conjunction with other factors, considered a more significant threat to American security and society.

These three groups, with varying assigned degrees of foreignness, can then be envisioned as occupying positions along a spectrum of foreignness, with Germans at one end and the Japanese at the other. One's position on this spectrum, however, was not solely defined by distance from the ideal of Americanness. Rather, besides their innate un-Americanness, their linkages to foreign nations also influenced the relative foreignness of these immigrants. Vulnerable to the perception that they were agents of their countries of origin, or at least sympathetic to them, immigrants' foreignness was also impacted by the nature of international relations between the United States and their homeland. The perceived threat level of an enemy nation served as the second factor that could determine positioning on the spectrum of foreignness. Consequently, foreign policy also shaped the spectrum of foreignness, with fluctuations in international relations reassigning positions on the continuum even as assigned degrees of foreignness remained constant.

The implications of this conceptual model were played out as immigrant-related policy and foreign policy collided during the world war era. According to the 1930 U.S. Census, German, Italian, and Japanese immigrants constituted the largest foreign-born populations in the United States, from 'Western Europe,' 'Southern and

Eastern Europe,' and 'Asia' respectively.²⁹ Little more than a decade later, the three countries of origin for this mass of immigrants—Germany, Italy, and Japan—were declared enemies of the American state as World War II swept across the globe. The government's and the public's concern about the potentially threatening relationship between internal inhabitants and international adversaries forms the central axis around which this study revolves.

History of Foreignness

This thesis is not intended to be an immigration history or a history of nativism. The stories of these three immigrant communities have already been told through those lenses. Rather, this project is an attempt to construct a history of foreignness, an integrated account of how American society encountered the concept of foreignness in its various forms, how Americans perceived the peoples who served as living manifestations of this vague concept of foreignness, and how these popular perceptions were eventually translated into policies that worked to regulate different foreign populations. Despite a different purpose and perspective, this endeavor is consistent with the previous immigration and nativist histories: it builds upon both, but has a somewhat different aim.

Because conceptions of foreignness are emotional and relational, a dominant conception depends on public opinion that is shaped and reproduced in personal

²⁹ U.S. Census Bureau, "Region and Country or Area of Birth of the Foreign-Born Population, With Geographic Detail Shown in Decennial Census Publications of 1930 or Earlier: 1850 to 1930 and 1960 to 1990," <http://www.census.gov/population/www/documentation/twps0029/tab04.html>.

perspectives. In describing his narrative, Higham affirms that “fundamentally, this remains a study of public opinion, but I have sought to follow the movement of opinion wherever it led, relating it to political pressures, social organization, economic changes, and intellectual interests.”³⁰ A history of foreignness must follow this precedent.

This project is in part inspired and informed by Matthew Frye Jacobson’s *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876- 1917*. Jacobson describes his book as a “synthetic treatment of immigration and foreign policy,” in which the subjects of immigration and American imperialism are intellectually linked.³¹ Though these topics have been extensively developed independently of each other, they have rarely been integrated into a comprehensive account. Thus, by offering a new framework tethered to the concept of foreignness, Jacobson makes an important intervention, showing how domestic conditions are impacted and shaped by international situations. While this thesis focuses on a different time and different set of issues, applying Jacobson’s framework to the treatment of German, Italian, and Japanese immigrants during World War II alters and expands the view of war policies on the home front by connecting them directly to international affairs and assessments of risk in a time of war. By combining an analysis of how the heightened anxieties of wartime shaped policies with an understanding of the precedents and patterns of domestic policy regarding immigrants, this thesis offers a case study of what happens when an overwhelming

³⁰ Higham, *Strangers in the Land*, x.

³¹ Matthew Frye Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876-1917* (New York: Hill and Wang, 2000), ix.

international situation produces new attitudes about immigrants, when the international sphere infiltrates domestic society and influences public policy.

Description of the Archive

In order to examine how the concept of foreignness was perceived, encountered, and eventually translated into policies implemented during the war, this project utilizes an in-depth exploration and analysis of a selected sample of records from the “World War II Alien Enemy Detention and Internment Case Files” archive contained within the General Records of the Department of Justice at the National Archives in College Park, Maryland. These case files contain the personal stories of individual enemy aliens who were investigated by the FBI because of a specific charge or vague suspicion relating to their enemy alien status. The majority of the documents in the record set are FBI investigation reports, which typically include an explanation of the reason for the investigation, evidence either supporting or discrediting the specified charge, a personal history, and commonly a character evaluation of the subject. The information in these reports is generally pieced together through interviews with both the subject and a collection of informants; they manifest the very subjective and individualized nature of these investigations. In cases where FBI investigations led to further governmental action, supplementary records are included, usually taking the form of reports or transcripts from Enemy Alien Hearing Boards and letters or memoranda between governmental officials or departments.

In conducting my research at the National Archives, I examined three of the 642 boxes contained in this record set. An archivist assisted me in selecting which boxes to examine, but given the massive volume of boxes in the record set, ultimately the boxes I examined were selected somewhat arbitrarily. However, examining particular cases within these boxes enabled me to select for use case files that were especially emblematic and revealing. I collected and recorded fifty-six separate case files, twenty-five of which I explicitly discuss and analyze in this thesis, and another five of which I draw upon for supplementary materials. I analyze in some detail eighteen German cases and only six Italian cases; this disparity reflects the effect of the fact that Italian immigrants were declassified as enemy aliens one year into the war. One Japanese immigrant, married to a German immigrant, also appears in the case files. Almost all of the case files employed in this thesis originate from one of two geographic regions; Washington, D.C. and neighboring Maryland suburbs and the New Jersey and New York area, including both New York City and Long Island.

While a precise classification of the outcomes of these investigations is not possible due to a lack of information in some instances and changes in categorizations in others, the following is an approximation of the outcomes of the twenty-five files presented as discrete cases: nine German subjects and one Italian subject were released and prosecution was declined; three Germans and two Italians were temporarily detained and then released; one German was paroled; and one German and one Italian were interned. In the cases of three Germans and one Italian the outcome is unknown. To the best of my knowledge, an in-depth examination of these case files has not been undertaken before.

Significance of the Archive

While these case files are individualized, as ordered by federal policy, and inescapably subjective, the common practices, standards, and types of information included reveal general patterns of the wartime treatment of German and Italian immigrants. The testimonies included in them are, in essence, snapshots of one individual's personal perceptions of another individual, who by nature of the proceedings, has been deemed both 'alien' and potentially 'inimical.' In their attempts to negotiate the spectrum between familiarity and foreignness, each individual informant acted out the same decision making process in which the American government and the American public as a whole were also engaging. Ultimately, these enemy alien investigations provide intensely individualized and personal expressions of the American public's encounters with foreignness. By mirroring currents of public opinion, through personal interactions, these investigations provide a novel way to consider the social and political processes that led to the differential treatment of German, Italian, and Japanese immigrants during World War II.

Organization of Thesis and Guiding Questions

In this introductory chapter, I have presented the basic facts of the Enemy Alien Control Program to serve as a foundation for my analysis and introduced a conception of immigrants within a continuum of familiarity and foreignness, which

draws on studies of enemy images and the history of American nativism, to develop a descriptive model of the spectrum of foreignness. Chapter 2 begins with a snapshot of Japanese immigration history to provide a point of reference to frame later discussions. It then offers a brief history of German and Italian immigration and a general account of their experiences in the United States defined by the perceptions and stereotypes assigned to them by the American public. I also track the political, social, and legislative changes that transformed these immigrants into enemy aliens, and provide a brief history and overview of the Enemy Alien Control Program.

Chapter 3 begins my in-depth examination and analysis of case files from the Alien Enemy Control Unit. Each case reveals not only the story of an individual enemy alien, but is also emblematic of common features, patterns, and judgments that are found throughout the sample. As many cases expose multiple, interrelated patterns and insights, it is impossible and impractical to perfectly package each case as representative of single theme or analytical point. Chapter 3 also address procedural questions such as what types of evidence were used in investigations? How were informants embedded into these investigations? What types of charges or sources of suspicion warranted investigation? In specific reference to the perceptions and treatment of German immigrants, I examine how Germans were characterized alternatively within the bounds of assimilated familiarity and as a newly formulated foreign threat.

Subsequently, Chapter 4 more directly engages the threat Nazi Germany posed as represented by individual enemy aliens who were identified in some way with the Nazi Party and ideology, whether such allegations were corroborated or not.

How was a linkage to Nazism situated within the spectrum of foreignness? How was familiarity compromised by this representation of a foreign threat? In what circumstances did German immigrants' low degree of foreignness enable them to withstand and overcome accusations of Nazi connections and sympathies? Chapter 5 turns to the case files of Italian immigrants. Here, I engage the question of how treatment of enemy aliens varied between the two European immigrant groups. How did Italian immigrants' high degree of foreignness alter the type of evidence used against them? And why did this conception of intense foreignness persist even as Italian immigrants were declassified as enemy aliens? What does that mean for the determinants of the spectrum of foreignness? Finally, Chapter 6 concludes by attempting to integrate the existing historiography on the relocation of the Japanese on the West Coast with the insights that emerge from a close-reading of these enemy alien investigations and contextualizes the individual case studies with broader measures of public opinion.

Chapter 2: From Immigrants to Enemy Aliens

The Japanese in America

Largely absent from the waves of immigration in the nineteenth century, Japanese immigration to the United States began to surge around the turn of the century. However, the total population size still remained relatively minute in comparison to European migrant levels, and was mainly localized on the West Coast.³² In his landmark study on the Japanese American population and its internment, Roger Daniels remarks on the Japanese American population size, arguing that “looking at these figures rationally, one finds it difficult to see how Japanese Americans could have seemed a threat to the nation.”³³ Yet, as the nation of Japan gained strength and status, the presence of its nationals and descendants within the United States began to seem more ominous.

Originally, Japanese immigrants to the United States were implicated in preexisting stereotypes about Asian immigrants and were not initially viewed as a distinct community. As Daniels makes clear, “to most Americans in the late nineteenth and early twentieth century, all Asian immigrants seemed alike and alike seemed to present a threat to the American standard of living and to the racial integrity of the nation.”³⁴ These threat perceptions were not merely social stereotypes; rather they were also enshrined in the legal code. Japanese immigrants,

³² Up until 1880 only 3,000 Japanese immigrants had entered the United States. By 1910, the population size had swelled to 72,157 in the whole country. Between 1909 and 1924, 118,000 Japanese immigrants arrived in the United States, resulting in a total population size of 111,010 in 1920. By 1930 there were 138,834 Japanese Americans living in the United States and by 1940, though dropping slightly, the total population stood at 126,946. Roger Daniels, *Prisoners Without Trial: Japanese Americans in World War II* (New York: Hill and Wang, 1993), 8.

³³ Ibid.

³⁴ Ibid., 4.

along with immigrants from other Asian countries, were not given the option of applying for naturalization; they were deemed en masse ‘aliens ineligible for citizenship.’³⁵

Despite these restrictions, Japanese immigrants and their American-born descendants did not specifically provoke targeted antagonism until the turn of the century. By 1905, however, an anti- Japanese movement began to develop in California, the epicenter of Japanese immigration, and by 1907 provoked an international incident that was ultimately resolved by the Gentlemen’s Agreement. Sparked by discriminatory educational practices targeting Japanese school children in San Francisco, the Gentlemen’s Agreement not only demonstrates the increasing influence of the Japanese state, but also serves as a precedent for the interconnectedness of immigration-related policies and international relations in shaping the relationship between the United States and Japan.³⁶

While Japan was appeased in 1907, subsequent manifestations of anti-Japanese sentiment served to propagate tensions and solidify concern about Japanese American communities in the United States. The California Land Law of 1913 and the 1917 federal ban on immigration from Asian nations, with the exceptions of Japan and the Philippines, were both examples of the prevailing public impulse to restrict and exclude Asian immigrants.³⁷ While Japanese immigrants were somewhat protected by Japan’s rising global status, the Japanese American community was

³⁵ Ibid., 12.

³⁶ The Gentlemen’s Agreement was forged as a solution to the Japanese government’s objection to an act passed by the San Francisco School Board that forced Japanese children in the city to attend Asian-only schools. After a series of negotiations, Japan agreed to internally restrict Japanese immigration to the United States in exchange for the federal government intervening in the school board affair and other cases of discrimination on the West Coast. See Daniels, *Prisoners Without Trial*, 12-13.

³⁷ The California Land Law of 1913 prohibited ‘aliens ineligible for citizenship’ from owning property.

nonetheless affected by this overwhelming xenophobic trend, which served to “increase tension and heighten feelings about Japanese conspiracies against America in general and against California and the Far West in particular.”³⁸ These tensions were ultimately codified in the Immigration Restriction Act of 1924, which, though granting Japan an immigration quota similar to those given to European nations, prohibited the immigration of individuals ineligible for citizenship, effectively prohibiting all immigration from Asian nations, including Japan.

Despite the bar on new immigration, however, the Japanese American community continued to grow and establish its presence on the West Coast. While economic success was attainable and relatively widespread, this integration into life in America did not seem to penetrate beyond the economic realm, in part because of discrimination and enforced segregation. Daniels asserts that “even more than most immigrants, the Issei generation lived, worked, and prayed in an ethnic enclave, largely cut off from meaningful contact with most other Americans.”³⁹ This social separation and lack of “expos[ure] to some aspects of Americanization” would serve to perpetuate conceptions of foreignness and prevent Japanese Americans, as a whole, from becoming familiar enough to avoid discriminatory treatment by the time of World War II.⁴⁰

Germans in America

As a long established immigrant group with relatively minimal new arrivals, by the turn of the twentieth century “public opinion had come to accept the Germans

³⁸ Daniels, *Prisoners Without Trial*, 14.

³⁹ *Ibid.*, 18.

⁴⁰ *Ibid.*

as one of the most assimilable and reputable of immigrant groups.”⁴¹ Despite a diminished level of immigration in the era of the new immigration, Germans still constituted the largest foreign-born population in the United States.⁴² Having achieved a thoroughly middle class reputation and broad acceptance in American society, German American communities were able to retain cultural practices and connections to Germany without provoking much concern. However, as World War I approached and German Americans rallied to support their homeland, the German American community was suddenly subject to a level of scrutiny and suspicion that it had not experienced before.

The German American community’s experience during World War I profoundly altered its position in American society and consequently informed how the community was perceived and treated in the Second World War. While official U.S. policy was one of neutrality, and the majority of Americans sided with Britain and France, segments of the German population in America actively and publicly supported the German Empire in World War I. German American communities held parades and rallies in support of German forces, contributed to German bond and war relief drives, and actively tried to influence American foreign policy to support Germany in its war effort, even launching a campaign to implement an embargo against the export of war supplies to the Allies.⁴³ As Germany’s war aims became

⁴¹ Higham, *Strangers in the Land*, 196.

⁴² In 1882, 250,000 German immigrants entered the US, and though by 1907 only 38,000 new immigrants arrived, by 1910 2.3 million German-born immigrants, and a total of eight million people of German descent, representing 8.7 percent of the general population, lived in the United States. Mark Ellis, "German Americans in World War I," in *Enemy Images in American History*, ed. Ragnhild Fiebig-von Hase and Ursula Lehmkuhl (Providence: Berghahn Books, 1997), 184; Higham, *Strangers in the Land*, 196.

⁴³ Higham, *Strangers in the Land*, 203; Timothy J. Holian, *The German- Americans and World War II: An Ethnic Experience* (New York Peter Lang, 1996), 12.

clear and much of the American public began to identify Germany as their enemy, German American expressions of support for Germany sparked anti-German sentiment that exploded into relative hysteria once the United States entered the war in 1917. Thus, though “held in high regard by the American public beforehand,” German Americans were “subjected to intense criticism and scorn with the outbreak of World War I in Europe in 1914.”⁴⁴

While this outpouring of extreme anti-German sentiment was largely situational, rather than motivated by any preexisting, underlying nativist distrust of German Americans, these nativist attacks targeted anything and everything that suggested Germanness or a connection to Germany. Across the country names of persons, places, and even food items, were “anglicized to eliminate any reference to the German element,” with sauerkraut becoming ‘liberty cabbage’ and frankfurter sausages becoming ‘hot dogs.’⁴⁵

Anti-German hysteria was further fueled by allegations of espionage, which severely damaged the reputation of Germans and resulted in the multiple forms of violence, whether physical or cultural, that marked the treatment of Germans in America during World War I. An internment program predicated on the 1798 Alien Enemy act was implemented to control identified enemy aliens, though on a much smaller scale than in World War II. The German press, German instruction in schools, and individuals associated with these expressions of foreignness were targeted and attacked, and the legal basis for German organizations undermined.

⁴⁴ Holian, *The German- Americans and World War II*, 12.

⁴⁵ *Ibid.*, 13.

There were also incidences of ethnic harassment and actual violence, such as lynching, against individual German Americans.⁴⁶

Likely as a result of these anti-German outbursts, once the United States formally entered World War I any lingering German American support for Germany was replaced by expressions of loyalty to the United States. In general, German Americans contributed to the American war effort and cooperated with conscription procedures, with thousands serving in the American armed forces.⁴⁷ However, despite expressions of support for the American cause, “the damage the war did to the German community in America was permanent; emotional scars left the German-American community searching for a new identity in the postwar era.”⁴⁸ Nativist hysteria fundamentally altered how German Americans perceived of themselves and their communities in relation to the rest of American society and served as a “catalyst for total assimilation.”⁴⁹ As Holian asserts, “German- Americans for the first time became more ‘American’ than ‘German,’ submerging their unique position in American culture in a rapid and thorough process of assimilation.”⁵⁰

Thus, during the interwar period German Americans were increasingly perceived as fellow Americans rather than as foreigners; however, the rise of pro-Nazi German organizations in the 1930s recast German Americans as potential sources of subversion and as dangers to society. The proliferation of pro-Nazi organizations in the United States was the most visible, or at least quantifiable,

⁴⁶ Tolzmann, *The German-American Experience*, 283-90. See also, Ellis, “German Americans in World War I” and Holian “The German Americans and World War II,” 12-14.

⁴⁷ La Vern J. Rippley, *The German-Americans* (Boston: Twayne Publishers, 1976), 187-88.

⁴⁸ Holian, *The German- Americans and World War II*, 13.

⁴⁹ Rippley, *The German-Americans*, 180.

⁵⁰ Holian, *The German- Americans and World War II*, 14.

expression of pro- Nazi sentiment among German Americans. Prompted by reports of propaganda stemming directly from Germany, beginning in 1934 the House of Representatives conducted an investigation that found that although most Germans were loyal to the United States, Nazi activity had been growing within America's borders.⁵¹ The German-American Bund's Madison Square Garden rallies in 1936 and 1939 both amassed crowds of over 20,000, though some were "curiosity seekers" rather than actual Bund members, and a corresponding storm of media attention.⁵² Although the Bund "claimed a sympathetic following in excess of 200,000," once the United States entered World War II most German in America no longer supported the Nazi regime, though they may have still maintained a private, sentimental bond with their homeland and sympathy for the German people.⁵³ Ultimately, although by the time war was declared most Germans in America did not actively support Germany's war aims, "the actions of a small but vocal minority of pro-Nazi German legal resident aliens and German-Americans brought about resentment and distrust towards the German-American community as a whole."⁵⁴

Italians in America

Italian immigrants constituted a large portion of the wave of 'new immigration' from Southern and Eastern Europe that began to flood the United States at the end of the 19th and beginning of the twentieth century.⁵⁵ These new

⁵¹ Ibid., 21-23.

⁵² Rippley, *The German-Americans*, 204-06.

⁵³ Rippley, *The German-Americans*, 206.

⁵⁴ Holian, *The German-Americans and World War II*, 15.

⁵⁵ In 1900, there were 484,027 Italian immigrants residing in the United States, but by 1910 the Italian-born population had jumped to 1,343,125. By 1920, the end of the peak of Italian immigration,

immigrants, largely considered to be more foreign and removed from the prevailing Protestant Anglo-Saxon American culture, became the targets of a corresponding new wave of nativist sentiment, embodied by the Dillingham Commission and ultimately culminating in the immigration restriction acts of the early 1920s. Italian immigrants were grouped into “an immigrant throng that displayed few common traits except the indubitable fact that it was not Anglo-Saxon,” thus making them susceptible to a vast array of suspicions and stereotypes.⁵⁶ Furthermore, as Catholics, Italians were also implicated by the existing anti-Catholic nativist tradition. However, as the era progressed and racial categorizations became more prominent than religious ones, it was Italians’ imprecise racial identity that most impacted their degree of foreignness. As Europeans, but not Anglo-Saxons, Italians’ whiteness was considered contentious and problematic.

As more and more Italians poured into the United States at the turn of the century, Italians in America, both newcomers and existing inhabitants, were broadly characterized by a criminal, mafia-esque stereotype linked to conceptions of Italianness. This image “conditioned every major outburst of anti-Italian sentiment in the 1890s,” and in some cases provoked retaliatory violence, notably lynching.⁵⁷ Minor, solitary incidents were commonly embedded within a larger narrative of the violent, erratic, passionate, and irrational character of the Italian race, with the emphasis on the perpetrator’s nationality and the implicit connection to a web of

1,610,113 Italian immigrants were in the United States and by 1930, after immigration restriction had been implemented, the population of Italian-born immigrants was 1,790,429. U.S. Census Bureau, "Region and Country or Area of Birth of the Foreign-Born Population."

⁵⁶ Higham, *Strangers in the Land*, 95.

⁵⁷ *Ibid.*, 90.

organized crime.⁵⁸ However by the beginning of the twentieth century, abject fear of Italians began to subside as it became clear that violent incidents were primarily contained within the Italian American community.⁵⁹ And yet, even as nativist outbursts diminished and actual mafia- related activity also declined, “the image of a mysterious Black Hand Society, extending from Italy into every large American city, was fixed in the public imagination.”⁶⁰ This cemented the idea in the American psyche that these immigrants, though removed, were not detached from their homelands.

As the century progressed and immigration increased, this image translated into expressions and outbursts of nativism targeted at Italian Americans. Not only were Italians beleaguered for their criminal behavior, but they were also held “responsible for urban slums,” and depreciated living conditions were attributed to their presence.⁶¹ By the early 1920s, nativist opposition to Italian immigrants was raging; claims were circulating that immigration restriction was “the best way to safeguard American democratic and capitalistic traditions,” and that, due to inadequate assimilation, Italians, along with other new immigrants, “were becoming an increasingly divisive force in the country.”⁶² This argument against Italian Americans, which ultimately contributed to the 1924 restriction legislation, deliberately and consciously engaged America’s Anglo-Saxon tradition, asserting that

⁵⁸ Ibid.

⁵⁹ Ibid., 160.

⁶⁰ Ibid.

⁶¹ Luciano J. Iorizzo and Salvatore Mondello, *The Italian Americans*, (Boston: Twayne Publishers, 1976), 134.

⁶² Ibid., 135.

Italian Americans were directly compromising the strength of American traditions and institutions.

Yet, restriction and anti-Italianism, while drastically reducing the overall number of new immigrants, did not forcefully assimilate Italians in America in the way that anti-German hysteria during World War I forced Germans to reposition their role in American society. For example, in contrast to the German foreign language press after World War I, the Italian language press did not disappear after restriction, but rather its coverage shifted from an emphasis on Italy as the homeland to more immediate American issues.⁶³ In contrast to the experience of German Americans in World War I, Italians retained a high degree of foreignness despite nativist pressure.

Despite a reprieve following the 1924 Restriction Act, Italians again became a focus of national attention as fascism spread throughout Europe and a possible conduit between Italians in America and their fascist homeland sparked concern. Fascist organizations emerged throughout the 1920s and attempted to tether a fascist ideology to American soil through Italian Americans. However, because fascism was originally accepted by mainstream American society, largely because of its anti-communist doctrine, Italian American support for fascism or admiration for Mussolini was not initially considered suspect or threatening. However, as Italy's war aims become more apparent, fascism in general was discounted not only by the American public, but also largely by Italians in America. While support among Italians diminished in conjunction with the general public's disillusionment, "by the late 1930s Americans conveniently forgot that the disease has been a national

⁶³ Ibid., 160.

phenomenon rather than an ethnic importation.”⁶⁴ Invoking a selective memory of sorts, “the American public and its government needed the Italian-American as scapegoat to cleanse itself of an unbecoming sin—its flirtation with the undemocratic Fascist dictatorship of Benito Mussolini.”⁶⁵ Any further expression of support for Mussolini, or expression of overt Italianness, would become the basis of suspicion and later investigation.

Immigrants and War

As “the first big international conflict between America and a country which had been sending to it a large and cohesive immigrant population,” World War I set a precedent for the perception and treatment of immigrants from countries identified as America’s enemies.⁶⁶ The status and positioning of this type of immigrant during wartime was an entirely new issue for homeland policies. Recent international conflicts had never presented such a contradiction; in the Spanish American War there was not a significant Spanish immigrant population to pose an internal security threat. World War I was the first time that immigrants became enemies, in the international relations sense of the word, and heightened concern over immigrants’ attachments and allegiances to their homeland. The nativist hysteria of World War I, then, was “directed less at Germans as such than at an entirely disembodied category: the ‘hyphenated American,’ i.e. the immigrant of divided loyalty.”⁶⁷ And while

⁶⁴ Ibid., 258.

⁶⁵ Ibid.

⁶⁶ Higham, *Strangers in the Land*, 195.

⁶⁷ Ibid., 198.

World War I certainly provided a policy framework to be built upon in World War II, the real legacy of the war's impact on immigrants and hyphenated Americans was that it instilled in American popular thought the idea that "the hyphen could serve as surrogate for enemy fleets and armies."⁶⁸

Toward the end of the war and in its immediate aftermath four pieces of federal legislation were enacted that altered the context within which the American government regulated the presence of immigrants within its borders, particularly those suspected of sabotage. The 1917 Espionage Act and the 1918 Sedition Act revived many of the statutes included in the original Alien and Sedition Act of 1798. While the Espionage act "penalized individuals for false statements designed to obstruct the war effort or to aid the enemy," the later Sedition Act was even more draconian, penalizing "any opinion deemed disloyal, any contemptuous reference to the American flag, form of government, or constitution" with up to a twenty-year prison sentence.⁶⁹ While not explicitly targeted at immigrants, these acts were especially applicable to those hyphenated Americans who were more likely to be suspected of disloyalty, as well as more likely to inadvertently, and benignly, say something about their homeland that in the context of war could be deemed seditious. The consequences for immigrants under these two criminal statutes were supplemented by the Immigration Act of 1917 and the Immigration Act of 1918, known as the Dillingham Hardwick Act. While primarily aimed at restricting immigration from Asia, the 1917 act also added a literacy requirement for immigrants over the age of sixteen and augmented the ban on immigration of 'undesirables' by

⁶⁸ Ibid., 199.

⁶⁹ Ibid., 209, 210.

adding more categories to this catch-all term. ‘Anarchists’ were now classified as officially ‘undesirable.’ Through this inclusion, “aliens had been implicitly linked with ‘anarchy... the overthrow by force or violence of the Government of the United States or of all forms of law [and]... the assassination of public officials.’”⁷⁰ This connotation of immigrants as anarchists was explicitly solidified in the succeeding 1918 act, which authorized the government to detain or deport foreign-born anarchists, as well as radical labor leaders and anti-war protestors. In the interwar period, these two laws were used as justification to deport aliens who were seen as posing a potential threat to American society and security in some way.

Though focused on a distinct concern—anarchy—the procedures used against suspected anarchists parallel the investigations undertaken against enemy aliens during World War II. The latter investigations were therefore not unprecedented, and the assumption that foreigners were a threat, or at least worthy of investigation, was already embedded in both the American legal system and public consciousness. Significantly, these early criminal and immigration statutes specifically proscribed both speech and adherence to ideologies, or essentially beliefs, rather than simply actions or behaviors. There is a clear coherence and consistency between a policy that targeted individuals for their adherence to anarchy and a policy that apprehended individuals for personal support of a foreign nation or national ideology. This increased anxiety about the thoughts and beliefs of foreigners, and implicitly the danger these foreign attitudes posed to the American way of life, has been a persistent element of American public opinion. Although occasionally latent, this sense of

⁷⁰ Ellis, "German Americans in World War I," 194.

distrust and apprehension forcefully reemerged in World War II as immigrants were reclassified as enemy aliens.

Origins of the Enemy Alien Control Program

During World War I, regulation and persecution of enemy aliens was conducted under the auspices of the Alien Enemy Act codified in 1789 as part of the infamous Alien and Sedition Acts. But by World War II, the internal populations designated as enemy aliens were significantly larger, including German, Italian, and Japanese immigrants and, depending on circumstance, including their American-born descendants as well. World War II, unlike previous conflicts, sparked the creation of an Enemy Alien Control Program to regulate individuals on the basis of their enemy alien status, regardless of any evidence indicating sedition, espionage, or disloyalty. Formed to implement President Roosevelt's presidential proclamations that immediately followed the attack on Pearl Harbor, the Department of Justice's Enemy Alien Control Program was originally run by the Special War Policies Unit and then transferred to the Alien Enemy Control Unit during a divisional reorganization in 1943. With collaboration from the FBI and the Immigration and Naturalization Service, the establishment of the Enemy Alien Control Program officially designated the status of 'alien' rather than 'sedition' or 'acts of espionage' as a source of suspicion and inherent danger, and as sufficient basis for investigation and legal apprehension. The extent to which this altered legal framework was exploited differed among the three immigrant communities in question, resulting in the differential treatment of each group throughout the war.

By the early 1930s, the government had begun increased surveillance of foreign-born individuals who were possibly connected with some form of un-American activity. FBI Director J. Edgar Hoover, operating with an ambiguous conception of ‘un-American,’ began compiling lists of “potential subversives,” which included “suspected communists, fascists, anarchists, socialists, pacifists, and other so-called ‘troublemakers.’”⁷¹ At this early point, investigations were broadly targeted at anyone potentially un-American, and not yet focused on foreigners specifically, let alone those who would become enemy aliens. However, this initially broad un-American threat began to crystallize in late 1933 and early 1934 as Hitler came to power in Germany and fascism began to be increasingly seen as a serious and viable threat.⁷² Congress sanctioned investigations into Nazi activities in the United States in January 1934, and in March 1934 authorized the establishment of the McCormack-Dickstein Committee, the first House Committee on Un-American Activities.⁷³ In May 1934, President Roosevelt issued a secret directive that formally authorized the FBI to investigate, on a limited scale, suspected Nazis or Nazi sympathizers within the United States, namely the Friends of New Germany organization.⁷⁴ Notably, these initial investigations were solely focused on German fascism, and ignored the fascist activities stemming from Italian American sources, indicating that Nazism was deemed a more serious threat than Italian fascism.⁷⁵

In 1936, these initial investigative efforts were expanded and formalized into a more intensive surveillance program. Armed with additional funding and personnel,

⁷¹ Schmitz, "Enemies Among Us," 105.

⁷² *Ibid.*, 110.

⁷³ *Ibid.*

⁷⁴ *Ibid.*, 106.

⁷⁵ *Ibid.*, 111.

the FBI increased its capabilities and jurisdiction in researching and examining both the Fascist and Communist movements in the United States.⁷⁶ Following a meeting with President Roosevelt and Secretary of State Hull, Director Hoover issued a confidential letter to the FBI's special agents on September 5, 1936, explaining that:

The bureau desires to obtain from all possible sources information concerning subversive activities conducted in the United States by Communists, Fascisti, and representatives or advocates of other organizations or groups advocating the overthrow or replacement of the Government of the United States. No investigation should be initiated into cases of this kind in the absence of specific authorization from the Bureau, but you should immediately transmit to the Bureau any information relating to subversive activities on the part of any individual or organization, regardless of the source from which this information is received.⁷⁷

Besides outlining a broad definition of those eligible for investigation, this letter also illuminates the FBI's policy on information and sources. Even at the very beginning of its investigations, the FBI was consciously unscrupulous in its selection of informants and evidence, a pattern that persisted in, and largely characterized, its later investigations for the Alien Enemy Control Program.

By the end of 1939 and throughout 1940, the government initiated policies that lead directly to the development of the wartime enemy alien program. While various government intelligence agencies collected information and compiled lists of individuals who could potentially pose an internal security risk, the FBI expanded and formalized its reconnaissance efforts, transforming its 'suspect list,' into the Custodial Detention Index (CDI).⁷⁸ The CDI included individuals of German and Italian

⁷⁶ Ibid., 107, 108.

⁷⁷ Ibid., 107-108.

⁷⁸ Ibid., 134-135.

descent, both aliens and citizens, as well as suspected communists or communist sympathizers.⁷⁹

In compiling these lists, the FBI, in conjunction with the Special Defense Unit of the Department of Justice, developed criteria to classify and categorize ‘potentially dangerous’ individuals for inclusion on the CDI. Although these classifications were designed for internal security threat assessment, the indicators used were essentially evaluations of degrees of foreignness. Citizenship status, as the legal indicator of allegiance, was scrutinized, as well as association with or affinity for “suspect organizations,” suspicion of espionage or propagandist activities, and even being an “organizer or troublemaker.”⁸⁰ In addition to these formal criteria, other “special facts” were used to evaluate suspects, including previous service in a foreign military or suspicious hobbies such as traveling, recreational flying, and photography. Based upon such evidence, suspected individuals were given a rating, either ‘A,’ ‘B,’ or ‘C,’ to designate the level of danger they posed.⁸¹ The ‘A’ category referred to enemy aliens who were considered the most dangerous due to holding leadership positions in organizations associated with ethnic communities. In the case of war, ‘A’ subjects were most likely to be detained. ‘B’ indicated that the enemy alien was considered less suspicious, but would still likely be subject to a limited form of control during war, most likely parole. Finally, a ‘C’ categorization denoted individuals who, usually because of lack of sufficient evidence, did not warrant even a limited form of control.⁸² While this early classification scheme was specific to the subjects listed on

⁷⁹ Ibid., 136, 141.

⁸⁰ Ibid., 203.

⁸¹ Ibid.

⁸² Ibid., 203-204; Tolzmann, “The German American Experience,” 336.

the DCI, the same criteria were used during the war when the FBI began actively investigating aliens for the Enemy Alien Control Program.

That these classification systems were developed prior to the beginning of the war, yet were effectively employed as baseline standards throughout the war, implies that the established criteria had more to do with generic conceptions of foreignness and un-Americanness than a specific linkage to wartime international relations. The measures used to evaluate alien enemies and determine their treatment were grounded in the subjects' immigrant status and assigned degrees of foreignness rather than any specific linkage to military strategies or foreign policy objectives.

Public opinion also voiced concern over the foreign-born threat, further propelling the government into action. Many citizens made their unease known to the government by writing letters to the FBI, the Justice Department, and the State Department.⁸³ Some members of the public articulated their concern about the precarious international situation and the challenge of maintaining peace. Others proposed solutions for counteracting these threats, while some wrote to inform authorities about “the activities of Nazi and Fascist groups or suspicious behavior exhibited by neighbors, coworkers, or in some cases, complete strangers.”⁸⁴

Although some members of the public acted as private citizens, such concerns were also voiced collectively through community organizations and local governments.

While federal policymakers were already engaging in programs and policies to minimize the threat of supposed fifth columnists, their actions were continually reinforced by the growing concern of the public. By 1939, some states had begun

⁸³ Ibid., 123.

⁸⁴ Ibid., 123.

passing legislation that prohibited aliens from working in specific state programs and defense industries.⁸⁵ As in ongoing federal investigations, the majority of public anxiety was directed toward Germans and the Nazi threat, but some did express concern about Italians and Japanese as well, laying the foundation for a governmental response shaped by public fears.

According to Schmitz, “a fifth column consensus had emerged” years before the United States’ entry into the war, and was propelled into the war years by rumors of treacherous Japanese activity on the West Coast, such as fisherman aiding the Japanese navy or vegetable farmers in California spelling out signs with their crops, and more credible concerns over German espionage, supported by overt displays of American Nazism, such as the American Bund rallies in Madison Square Garden and spies who appeared on East Coast beaches in 1942.⁸⁶ Although some of these charges of fifth column activities were irrational and outlandish, the underlying assumption that foreignness was now dangerous, despite how assimilated or benign it may have previously seemed, became increasingly ingrained in the collective American psyche. The internalization of this premise allowed for the beginning of increased public restrictions on immigrants. Ensuing policies were official, federal programs, rather than covert FBI operations.

As with the reformulations that occurred in 1917 and 1918, the mode of encounters between the government and immigrants were similarly redefined in 1940. First, on June 14, 1940, Congress transferred the Immigration and Naturalization Service from the Department of Labor to the Department of Justice. This institutional

⁸⁵ Ibid., 125.

⁸⁶ Ibid., 172. See also 277, 266; Daniels, *Prisoners without Trial*, 24, 29.

change not only reassigned aliens from a “protective agency” to “essentially a prosecutorial agency,” but also reclassified aliens as a federal, rather than local or state, problem and firmly placed aliens under the FBI’s jurisdiction.⁸⁷ Two weeks later on June 28, 1940, Congress passed the Alien Registration Act, which “for the first time in American history” mandated that all aliens over the age of fourteen register each year, be fingerprinted, notify the government of any changes of address, and answer a questionnaire, the results of which further equipped the government to obtain information and monitor its alien population.⁸⁸ While registration and fingerprinting were originally intended to be carried out at police stations, the government decided instead to process aliens at post offices in order to create a more positive image of the program.⁸⁹ Within four months of its enactment, nearly five million aliens had registered with the government, avoiding a fine of \$1,000 or a six-month prison sentence for non-compliance. In contrast to the five million aliens who did register, only 1,061 individuals were prosecuted for “willful failure to comply.”⁹⁰

Wartime Investigations

On January 14, 1942, about a month after the attack on Pearl Harbor and the classification of German, Italian, and Japanese immigrants as enemy aliens, President Roosevelt issued an additional presidential proclamation that placed further restrictions on foreigners, creating more occasions for violations and thus

⁸⁷ Schmitz, “Enemies Among Us,” 125; Daniels, *Prisoners Without Trial*, 24.

⁸⁸ Daniels, *Prisoners Without Trial*, 24; Schmitz, *Enemies Among Us*, 149.

⁸⁹ Schmitz, *Enemies Among Us*, 146.

⁹⁰ *Ibid.*, 149.

prosecutions. Supplementing the 1940 Registration Act, Presidential Proclamation 2537 required every enemy alien register to with the government and obtain a Certificate of Identification, which they were required to carry on their persons at all times.⁹¹ In addition to the certificate requirement, the proclamation also announced new regulations that barred enemy aliens from entering specified “prohibited areas,” forbade travel by air, mandated that other modes of transportation be approved by the issuance of a permit, and, as with the previous Registration Act of 1940, required aliens to report any change of address. Additionally, the 1942 restrictions designated a number of items, notably cameras and shortwave radios, as contraband, prohibiting alien enemies from possessing such items.⁹² Violation of this provision of the statute became a common premise for initiating FBI investigations into the behaviors and beliefs of enemy aliens.

Fundamentally, these restrictions were designed to monitor and regulate the physical location and movement of enemy aliens, and implement a legal process through which the government could track individuals throughout the war. Violation of any of the enemy alien regulations was sufficient grounds for initiating a federal investigation into the conduct and sympathies of any individual enemy alien. Furthermore, registration included an expanded ‘enemy alien questionnaire,’ that provided the government with supplemental information about each enemy alien.⁹³ Many of the questions, such as whether the enemy alien had relatives living in an Axis country or serving in an Axis military, as well as if the alien enemy, if a male, would be willing to serve in the United States military, directly correlated with the

⁹¹ Ibid., 274, 397.

⁹² Ibid., 539-540.

⁹³ Ibid., 210.

type of evidence sought in federal investigations, and in some cases investigations were solely predicated upon unsatisfactory answers given in enemy alien questionnaires. Notably, the very last question on the questionnaire, which included over one hundred questions, asked the enemy alien why they immigrated to the United States, reflecting how the enemy alien status of these individuals was prioritized over their immigration histories and experiences.⁹⁴

One of the defining features of the selective internment program that applied to German and Italian aliens, in contrast to the relocation program on the West Coast, was the use of Enemy Alien Hearing Boards to examine and determine the loyalty of individual enemy aliens. The very assumption that the loyalty of an alien enemy could in fact be discovered and judged represents one of the fundamental differences between the uniform treatment of Japanese on the West Coast and the individualized treatment of German and Italian immigrants under the selective internment program. In cases where a United States Attorney approved the issuance of a Presidential Warrant for an enemy alien following an FBI investigation that purportedly established legitimate cause for apprehension, the enemy alien in question would be granted a hearing before an Enemy Alien Hearing Board. Prior to a hearing, enemy aliens would typically be taken into custody and detained for however long it took to initiate the hearing. In these hearings, a United States Attorney represented the government, and FBI and INS agents were usually in attendance as well.⁹⁵ The Board was composed of five citizens, although only three members presided at each hearing;

⁹⁴ Copies of questionnaires are included in some of the case files contained in the “Enemy Alien Case Files,” RG 60, NACP.

⁹⁵ Commission on Wartime Relocation, *Personal Justice Denied*, 285.

Board members had been identified by local district attorneys and selected by the Department of Justice.⁹⁶ The Commission on Wartime Relocation explains that:

The detainee was not permitted to have a lawyer present and could not object to questions put to him. He could present through witnesses and affidavits evidence of law-abiding conduct and loyalty to the United States. Hearing boards could recommend release, parole or internment for the duration of the war. Doubts about loyalty were to be resolved in favor of the government. The case record, with the recommendation of the hearing board, was then forwarded to the Attorney General for decision. In reality, the decision of the Alien Enemy Control Unit of the Department of Justice governed.⁹⁷

Overall, the hearing boards were relatively “informal” and lacked standardization across different Boards and cases.⁹⁸ The decentralization of control over the proceedings resulted in persistent variations in standards and criteria and consequently the rationale for the recommendations appeared somewhat haphazard and certainly inconsistent. As with the preceding FBI investigations, the decisions of Hearings Boards were also largely based on subjective interpretations of often ambiguous pieces of evidence, character evaluations from possibly unreliable sources, and the personal impressions of the board members themselves.

As the Commission on Wartime Relocation makes clear:

Fundamentally, in the absence of evidence of particular acts, determining loyalty by interrogation is speculative, and the boards could not overcome that problem. The FBI and the Alien Enemy Control Unit had a running conflict as to how strict a standard should be applied... By August 1942, the Department of Justice began to recognize that some of its decisions were arbitrary and organized an appeals system for internees. One ground for rehearing was lack of uniformity in treatment between the earlier and later cases. Nevertheless, because the government had unquestioned authority to detain aliens of enemy nationality in time of war, these procedures did represent an effort to provide rough fairness in making individual determinations of loyalty and security risk.⁹⁹

⁹⁶ Holian, *The German-Americans and World War II*, 102.

⁹⁷ Commission on Wartime Relocation, *Personal Justice Denied*, 285.

⁹⁸ Schmitz, *Enemies Among Us*, 532.

⁹⁹ Commission on Wartime Relocation, *Personal Justice Denied*, 285.

Overview of Enemy Alien Investigations

Although investigations were carried out on an individual basis and each case represents a very personalized and localized perception of the individual's foreignness and the threat they presented, the commonalities in the investigative procedures, recorded in FBI reports, demonstrate the criteria used to evaluate the status of enemy aliens. The consistent patterns that emerge testify to the types of interactions and perceptions that contributed to the disposition of each individual enemy alien's case.

In stark contrast to the Japanese on the West Coast, both German and Italian aliens had to have been charged with or suspected of some potentially disloyal or dangerous statement or activity to trigger, or at least justify, an investigation. Though various and specific to each case, the charges that precipitated an investigation largely fell into some key categories. As would be expected, any potentially subversive activity or possible affiliation with a suspected dissident organization was grounds for investigation. Un-American remarks, whether spoken publicly or privately and largely regardless of actual intent or surrounding circumstances, qualified as potentially subversive activities requiring official examination. Military service, "as the most of all symbols of loyalty," was also used as a criterion for investigation, either in the form of past military service for an enemy nation, such as in World War

I, or a refusal or expressed unwillingness to serve in the United States' military.¹⁰⁰

Finally, failure to comply with alien registration regulations, such as travelling without proper authorization or possession of contraband items, were considered viable charges against German and Italian immigrants.

Once identified as possibly complicit in any of these, or other subversive schemes, individual subjects were generally described in a manner that either presented them as familiar or inexcusably foreign. Positive character evaluations often included signs of a strong work ethic and warm relations with children, all attributes commonly associated with being a good American. A bad temper and proclivity for drunkenness were often marked as indicators of a corrupt character. Command of English was also used as a standard of evaluation, with the presence of a persistent foreign accent commonly used as an easily identifiable manifestation of inherent foreignness. These descriptions created an image of the subject that cast them as either foreign or familiar or both, depending on the combination of evidence and personal observations provided by various informants.

These portrayals, as well as accounts of any potentially subversive remarks or activities, were provided by a variety of informants whose observations and analyses formed the basis of most investigations. Informants ranged across cases from individuals intimately associated with the subject to peripheral acquaintances with severely limited knowledge about the subject and no substantial interactions with them, such as a passenger who rode in subject's taxi a single time.¹⁰¹ Along this spectrum of familiarity, informants could be anyone from a family member to a

¹⁰⁰ Higham, *Strangers in the Land*, 216.

¹⁰¹ "FBI Report: Leopold Schneeberger 2-22-43," folder 146-13-2-16-278, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1-2.

landlord. Neighbors, employers, and co-workers were commonly contacted as part of 'neighborhood' and 'employment' investigations, presumably because of their proximity to the subject, regardless of their actual experiences with them.

Therefore, reports privileged general impressions, rather than actual relationships or factual knowledge. Evidence used in investigations and hearings was chiefly based on the personal opinions of people with whom the subject may or may not have had consistent or ample contact. Once the presumably factual outlines of the arguments either for or against a subject were established, the cases of enemy aliens were further colored by an array of additional information and peripheral details that served to define and evaluate the persona, statements, and activities of each subject. The examination of these reports, then, reveals the role that perception and often brief encounters played in determining the presumed loyalty of each subject. The patterns of repeated pertinent questions and recorded details used to establish this determination of allegiance suggest a fundamental need on the part of both investigators and informants to ascertain how familiar or how alien a subject was.

Chapter 3: German Enemy Alien Case Files

Introduction

The case files presented in this chapter demonstrate both the procedural parameters of the Enemy Alien Control Program and common patterns in the characterization of German immigrants. The examination of the charges and sources of suspicion that prompted investigations, the type of information used as evidence, the role of informants, and the persistent influence of character evaluations and personal impressions, all embed each particular case as part of a larger investigative project and network of perceptions of foreignness and threat. These precedents often resulted in two conflicting representations of German immigrants, one drawing upon existing images of Germans as sufficiently assimilated and almost fully American, and the other propagated by the earlier tradition of anti-German hysteria, which had been largely latent since World War I. Although these characterizations of Germans occurred within the confines of singular cases, the reiterative similarity of the opinions expressed allows these personal opinions to be used as general indicators of broader, more pervasive strands of public opinion.

A Borderline Case: Mrs. Wilhemine Kreten Whiteman

On July 7, 1943, the FBI completed a report on Mrs. Wilhemine Kreten Whiteman, a German immigrant classified as an enemy alien. Mrs. Whiteman's case seems to have been referred to the FBI after her attempt to take out her citizenship papers was denied, presumably on the suspicion that she was disloyal to the United

States and sympathetic to the Nazi cause.¹⁰² In summarizing the Immigration and Naturalization Service's examination of Mrs. Whiteman's qualifications for naturalization, the FBI explicitly identified Mrs. Whiteman as a "border line case."¹⁰³

Mrs. Whiteman's case reflects the conflicting, dual characterizations of German immigrant aliens that emerged during World War II. Charged with possible association with a questionable, subversive organization, accused of a number of anti-American and anti-Semitic statements, and suspected of being raised as a Nazi in Germany, the investigation sparked by her pursuit of naturalization produced evidence that both supported these allegations and, in contrast, portrayed her as an honest, quiet housewife incapable of causing harm. Thus, the duality of representation that emerges from these compilations of observations and encounters not only illustrates conflicting popular opinion about German immigrants, but also the very personal and subjective nature of these investigations. Based upon these individual perceptions and analyses, the FBI constructed its own evaluation of Mrs. Whiteman and decided to close her case, stating that "inasmuch as subject has violated no provisions of Alien Enemy Control Act and inasmuch as a review of the file reflects that all logical leads in this case have been covered, this case is being...closed."¹⁰⁴ Despite its viable potential for an alternative outcome, ultimately Mrs. Whiteman, the suburban housewife, was not deemed to be a dangerous enemy alien and a serious threat to internal security.

¹⁰² "FBI Report: Wilhemine Kreten Whiteman 7-3-43," folder 146-13-1-16-266, Alien Enemy Case Files, Box 218, RG 60, NACP, p. 1. See note in bibliography on citations.

¹⁰³ Ibid.

¹⁰⁴ Ibid., 3.

On March 13, 1940, Mrs. Whiteman filed a petition for naturalization with the Immigration and Naturalization Service. Though she had previously passed the necessary exams, Mrs. Whiteman was refused her final citizenship papers.¹⁰⁵ Mrs. Whiteman reported that she was unaware of why she was denied citizenship, claiming that the authorities would not provide her with an explanation. The informant to whom Mrs. Whiteman professed this account observed that Mrs. Whiteman was “very upset” over this rejection.¹⁰⁶ However, according to another informant consulted in the FBI investigation, the INS had received information from “some unfriendly neighbor saying that she was a Nazi.”¹⁰⁷ While Mrs. Whiteman reportedly “vigorously denied that she was so inclined,” her case was apparently deemed questionable enough to require further inquiry.¹⁰⁸

Subsequent investigation produced two bodies of conflicting evidence about Mrs. Whiteman’s sentiments, and actions as recounted by a group of informants. Only a limited portion of the web of evidence for and against her was directly attributable to Mrs. Whiteman herself, and the veracity of her own testimony must of course be questioned. On January 1, 1943, Mrs. Whiteman gave a sworn statement in which she claimed to have no “organizational affiliations” and to have “complied with all regulations regarding Alien Enemy Control.”¹⁰⁹ She confirmed that she was not in possession of any contraband items and when asked how she had contributed to the war effort she stated that “she and her children had purchased defense bonds and

¹⁰⁵ “FBI Report: Wilhelmine Kreten Whiteman 1-14-43,” folder 146-13-2-16-266, Alien Enemy Case Files, Box 218, RG 60, NACP, p. 1.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid., 3.

¹⁰⁸ Ibid., 3.

¹⁰⁹ “Whiteman 7-3-43,” 2.

stamps and further that she had taken care of children whose parents were engaged in defense work.”¹¹⁰ Despite these declarations, Mrs. Whiteman’s allegiance was still cast in a shadow of suspicion by familial connections to her homeland; she admitted that she had a father and sister living in Germany and that two of her brothers were serving in the German Air Forces.¹¹¹

Though an active familial bond with Germany alone might have sparked suspicion, Mrs. Whiteman was more overtly suspected of Nazi sympathies as a result of a series of provocative statements recounted by various informants. One informant, notably a judge, claimed that Mrs. Whiteman “was a very outspoken supporter of Hitler,” basing his assertion on Mrs. Whiteman’s supposed comments that “the German government was the ‘ideal type’ and that ‘Hitler is okay.’”¹¹² Mrs. Whiteman was also cited as expressing “herself as being very much opposed to Great Britain, and to President Roosevelt because of his policy condemning the actions of the German government and because of his vile intention to help Great Britain in her war with Germany.”¹¹³ According to the informant, this statement and others similar to it were made between 1938 and 1940. It was during this period that Mrs. Whiteman apparently “first appeared to support Nazism and Hitler.”¹¹⁴ She is reported to have “even heil Hitler’ed,” but that she “subsequently ‘tapered off’ in her Nazi sympathies” after being refused her citizenship papers. Informant #7 attributed Mrs. Whiteman’s Nazi sympathies to the fact that she had “been reared in Germany as Nazi and because of such background had, quite naturally, originally felt that

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² “Whiteman 1-14-43,” 2.

¹¹³ Ibid., 5.

¹¹⁴ Ibid., 5.

Hitler was right in his physical, political, and moral views.”¹¹⁵ While most likely intended as a justification to excuse her sentiments, particularly the anti-Semitic attitude that supposedly persisted longer than her reportedly overt pro- Hitler statements, this analysis also reinforces the implicit threat of immigrants, who may naturally be too distinct—too foreign—to be able to assimilate to American life and accept American ideological values and principles. Besides verbal indications of disloyalty, Mrs. Whiteman was also accused of being involved with an organization, the Greenbelt Glider Club, thought to be associated in some way with the German embassy in Washington, D.C.

Severe as some of these assertions may seem, they were countered by a second body of evidence that insisted upon her benign nature and commitment to her new homeland. A number of informants confirmed that they had never heard her say anything that could be construed as subversive and were unaware of any affiliation with any questionable organizations. Informant #4 was a neighbor of Mrs. Whiteman’s who had “known the subject for a period of one year and had in the past talked to her frequently inasmuch as informant ordinarily would have coffee with subject every morning before going to work.”¹¹⁶ According to this informant, Mrs. Whiteman had “stated on several occasions that the United States is now her country,” that her “husband and kids are Americans,” and that she herself was “presently very much American, anti-Nazi, and did not like Hitler.”¹¹⁷ Mrs. Whiteman elaborated on her views, offering the opinion that “the German people actually do not care for Hitler but are required to follow his policies and give him lip

¹¹⁵ Ibid., 6.

¹¹⁶ Ibid., 2.

¹¹⁷ Ibid., 3.

service because there was no other alternative possible.” Furthermore, this neighbor related that Mrs. Whiteman believed that if she had been living in Germany, “she was certain that she would dislike Hitler as much as she presently does but of course she would not be able to express her views.”¹¹⁸ In contrast to this vision of Germany, Mrs. Whiteman gave the impression that she believed “that the people of the United States have a great amount of personal freedom, more so than in Germany, and this feature, among many others, was one of her sincere desires to gain American citizenship.”¹¹⁹

Such evaluations of innocence were further supplemented by descriptions of her character and behavior that depicted her as a motherly figure, at odds with the image of a conniving traitor. Informant #4 characterized her as “very motherly and quiet,” the “sort of individual whose primary consideration was the caring of her children, the proper maintenance of her home,” and the “caring of the smaller children of employed neighbors.”¹²⁰ In fact, the informant’s own children were commonly cared for by Mrs. Whiteman. Similarly, informant #5 described her as a “good, friendly neighbor.” Informant #6 echoed these depictions, characterizing Mrs. Whiteman as “quiet and friendly,” a “home maker” and “hard worker” whom the “neighborhood children seem to like very much.”¹²¹ These descriptions, with their emphasis on friendliness, a strong work ethic, and women’s role in the home, seem saturated with a sense of American-ness, conjuring images of the stereotypical suburban housewife. The references to children, particularly evocative of innocence, also serve to firmly position Mrs. Whiteman in a motherly role, one that would seem

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ Ibid., 4.

inconsistent with the image of a Nazi. However, though informant #6 considered Mrs. Whiteman “the best neighbor she had,” she also noticed that Mrs. Whiteman “avoid[ed] discussions of the war situation,” suggesting, at the very least, that perhaps Mrs. Whiteman was not fully comfortable with her own absorption into American life.¹²² On the other hand, this observation could also be construed as evidence that Mrs. Whiteman had something to hide.

The dual images of Mrs. Whiteman that emerge from this investigation are the result of conflicting interpretations of characteristics and circumstances. While it is very possible that Mrs. Whiteman presented different facets of herself and her sentiments to different acquaintances at different times— sometimes sharing, sometimes concealing, and perhaps sometimes deceiving— the two disparate depictions of her are consistent with two major strains of public opinion about the German immigrant community in general, one emphasizing their assimilated Americanness and the other their linkage to their homeland and, consequently, to an ideology and worldview antithetical to all things consciously American.

Yet these dual images were not always so precise. Many German immigrants, such as Frederick Ludwig Diehn who was investigated because of his connections with the Nazi Party and as a possible accomplice in an espionage scheme, found themselves in the precarious position of being “not pro-Nazi, but not anti-German.”¹²³ Such divided loyalties made it unavoidably problematic for investigators, and the public alike, to place individuals within demarcated categories and defined stereotypes. However, by separating individuals from ideology, American society

¹²² Ibid.

¹²³ “Memo for the File, August 31, 1944” re: Frederick Ludwig Diehn, folder 146-13-2-16-331, Alien Enemy Case Files, Box 218, RG 60, NACP, p. 5.

felt comfortable enough to deconstruct, whether accurately or not, Germans and their conflicted allegiances and place them into recognizable categories: dangerous, not-dangerous, potentially dangerous; interned, paroled, released.

Evidence and Informants: Mr. Erich Wilhelm Von Heine

The case of Erich Wilhelm Von Heine, carried out from February 1943 through February 1944, is notable for the type of evidence included in the investigation, both standard and atypical inclusions, as well as for his own expressed sentiments toward Germany. The initial investigation was “predicated on information set out in subject’s alien registration” and on information from a “confidential source... advising that subject stated in his DSS Form #304 that he objected to service in the land or naval forces of the United States.”¹²⁴ Yet, as is common throughout these cases, the investigation did not solely revolve around this particular source of suspicion. Rather, the investigation compiled a collection of various, often unrelated or inconsistent, pieces of evidence and impressions from different informants.

On February 5, 1943, Mr. Von Heine was interviewed at the FBI’s Washington Field Office regarding the questionable answer on his alien registration form.¹²⁵ According to the report, “Von Heine was asked why he objected to serving in the armed forces of the United States as answered by him in DSS Form #304, question 41, he stated that as he was a German citizen, ‘it would be foolish to answer

¹²⁴ “FBI Report: Erich Wilhelm Von Heine 3-8-43,” folder 146-13-2-16-280, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1. The DSS Form 304, known as ‘Alien’s Personal History and Statement,’ was used to determine eligibility of aliens for the draft during World War II.

¹²⁵ *Ibid.*, 3.

any other way.”¹²⁶ Mr. Von Heine added that he had both a brother-in-law and a cousin serving in the German Army. In his interview, Mr. Von Heine “was carefully questioned with regard to his feeling towards the German government” and made the following statements:

My sympathy is not with the present form of government in Germany but my interest will be the new democracy in Germany, which will come as an aftermath of this war.

I hope that Germany will make a comeback, as the Germans are a great race of people.

I do not intend to become a citizen of the United States as I expect to go back to Germany or Africa after the war and represent some big corporation as I am interested in making money.¹²⁷

Following this interview, Mr. Von Heine permitted the investigators to search his room and “examine his personal effects.”¹²⁸ They found “nothing of a suspicious nature,” but “while the investigators were examining the subject’s property he stated: ‘I felt that sooner or later detectives or the FBI would be here to search my room and I made sure some time ago by getting rid of some cameras and other things that would be considered suspicious.’”¹²⁹ Despite demonstrating an awareness of enemy alien regulation procedures as well as a desire to comply with the regulations, this statement was interpreted by the investigating agents as potential evidence of something suspicious about Mr. Von Heine and was used subsequently as a premise for further investigative action.

Although this initial investigation did not produce any overt evidence of subversive sympathies, Mr. Von Heine was subsequently accused of being “pro-

¹²⁶ Ibid.

¹²⁷ Ibid.

¹²⁸ Ibid., 4.

¹²⁹ Ibid.

Hitler,” which presumably prompted the continuation of the investigation.¹³⁰ Mr. A. W. Brown, superintendent and engineer for the Washington National Cemetery where Mr. Von Heine had previously been employed, said that Mr. Von Heine was, “very outspoken in his views and was 100% for Hitler. Mr. Brown could not recall any specific statements made by Von Heine, but stated that on different occasions he, Mr. Brown, had suggested to [his superior] that he should get rid of Von Heine because of the latter’s views.”¹³¹

Mr. Brown’s testimony is typical of a class of statements commonly made against subjects that, in the absence of any precise accusation, conveys more of an impression or assumption than any concrete evidence. Mr. Brown’s suggestion that Mr. Von Heine be fired from his job at the cemetery because of his views is indicative not only of the potential consequences of being identified as an enemy alien, but also of the implicit anxiety on the part of Mr. Brown about being in proximity to a German alien. That no other informants testified to Mr. Von Heine being conclusively, or even slightly, pro-Hitler, suggests that Mr. Brown’s assertion was likely due to his own prejudice against Germans, and that he was perhaps uncomfortable with Mr. Von Heine’s foreignness. His comment is typical in its expression of bias and apprehension, apparent in his desire to have Mr. Von Heine removed from his employment.

As the investigation continued, subsequent employment and neighborhood investigations provided more information—and impressions—that established and colored the FBI’s perception of Mr. Von Heine’s sympathies and his character, which

¹³⁰ “FBI Report: Erich Wilhelm Von Heine 4-24-43,” folder 146-13-2-16-278, Alien Enemy Case Files, Box 218, RG 60, NACP, p. 1.

¹³¹ Ibid.

were assumed to be interrelated. Mr. Louis Long, under whom Mr. Von Heine worked at the Nassau Knolls Cemetery Association, provided an evaluation of Mr. Von Heine's character, as well as potentially incriminating evidence about his intentions regarding the military:

The subject is of the belligerent and snappy type and frequently stated that he did not want to serve in the United States Army. Long, however, was unable to say whether or not this was based on an unpatriotic tendency or the fact that the subject had a deathly fear of participating in a war. He, however, was inclined to believe the latter because of the subject's makeup... Long said that he considered him a nice type personally... Long stated, however, that the subject is a highly excitable type of fellow and very argumentative, and that he was never taken very seriously by the salesmen then employed by Nassau Knolls... There was no other activities or statement which the subject made which would reflect a subversive tendency.¹³²

Mr. Long's lengthy testimony reflects the trend of attempting to equate character traits with evidence of sympathies demonstrated throughout the cases. Mr. Long attributes a number of uncomplimentary qualities to Mr. Von Heine, yet insists that despite this he does not suspect Mr. Von Heine of any unpatriotic intentions. His underlying assumption seems to be that these unfavorable qualities might be expected to be in some way associated with undesired attitudes or behaviors. He qualifies his derogatory comments by saying that he considered Mr. Von Heine "a nice type personally," but that the other employees at the cemetery were not so convinced.

The inconsistencies in Mr. Long's statement can be seen as emblematic of the cognitive confusion present in many informant testimonies as they seem to be wrestling with the tension between actual memories and impressions of the subjects, recollections of any statements or activities that would in fact constitute concrete evidence of subversive tendencies, and others' opinions regarding the subject, either

¹³² "FBI Report: Erich Wilhelm Von Heine 8-21-43," folder 146-13-2-16-280, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 2-3.

as an individual or as a representation of German aliens in general. In many of these statements, there seems to be an attempt to reconcile, whether consciously or not, the informants' impressions of the subject with some abstract stereotype or convention, as well as with some sort of evidential proof of either guilt or innocence.

Because such impressions did not directly constitute evidence, they are presented as more indicative than perhaps they really were. In the absence of concrete evidence, character descriptions were given more weight as informants attempted to make sense of individuals with whom they had interacted, once the FBI investigation converted them into subjects of suspicion. The foreignness, and implied danger, of these once familiar immigrants was freshly exposed to informants, and they were left to process how to think and feel about these foreigners within the context of existing images and prejudices.

Testimony from a Mr. McDonald, with whom Mr. Von Heine worked at Nassau Knolls Cemetery, displays this pattern of confounding impressions and internalized xenophobic attitudes.¹³³ Mr. McDonald stated that he had:

no recollection of any un-American activities on the part of the subject although he recalled that prior to the entry of the United States into the war, he did hear the subject state on at least one occasion that he thought that Germany would win the war. However, Mr. McDonald believed that the statement was made only in reference to the fight that Germany was making against Great Britain.¹³⁴

According to the file, "no such statements [were] made after the war."¹³⁵ Although Mr. McDonald attempts to contextualize the statement, the comment is consistent with the pattern of German immigrants expressing some degree of support for

¹³³ "FBI Report: Erich Wilhelm Von Heine 12-3-43," folder 146-13-2-16-280, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

¹³⁴ Ibid, 2.

¹³⁵ Ibid, 1.

Germany prior to the United States' entry into the war, and a marked absence of such statements once the United States became formally involved in the conflict.

Moreover, Mr. McDonald situated this comment within his own conception of Mr. Von Heine's position relative to his homeland and his new home, when he "further stated that he always felt that the subject thought of Germany as the land of his birth and not as an ideal place to live. The subject gave the impression that he... thought Germany had benefitted to some extent under the Nazi regime, but that he was opposed to Hitler and the Nazi Party."¹³⁶ Such sentimental bonds between enemy aliens and their homeland, often taking the form of expressions of nostalgia, were problematic for investigators as they were challenging to classify as either solely dangerous or benign.

The curious testimony of Mrs. Alfred Parker, a landlady with whom Mr. Von Heine lived with for about five months in 1942, presents one of the most atypical sources of suspicion contained in the case files. According to Mrs. Parker, "during the time that he lived with her she had never heard him make any disparaging remarks about the United States or complimentary remarks about Germany."¹³⁷ Furthermore, she did "not know of any un-American activities in which he might have been engaged," and did "recall that the subject told her that he was willing to serve in the U.S. Army at any time and that he was willing to go anywhere in the service of the Army."¹³⁸ This was the first piece of direct evidence not from Mr. Von Heine himself relating to the original premise of the investigation. Yet despite this seeming confirmation of Mr. Von Heine's innocence, or at least lack of any

¹³⁶ Ibid., 2.

¹³⁷ Ibid.

¹³⁸ Ibid., 3.

incriminating evidence, Mrs. Parker did express a degree of concern over Mr. Von Heine's peculiar affinity for typing.

Mrs. Parker related that the subject did a great deal of typing, and he did so much of it that it aroused her curiosity. She stated that she did not suspect him of any un-American activities, but because of his name and his admitted German citizenship, she was interested to find out what he was typing. She attempted to check his wastepaper basket on several occasions, but she related that even though he would often type far into the night and into the early hours of the morning, she never found anything in the basket. She stated that on several occasions he came home in the afternoon, sat in his room typing and did not go out until the next day. She could never understand why he never threw anything into the wastepaper basket.¹³⁹

This incident points to how even the most minute, and likely insignificant, activities or behaviors were processed as potentially part of a greater scheme of subversion or sabotage. What is most striking is that Mrs. Parker did not otherwise attribute any suspicious activity or statements to Mr. Von Heine, yet the persistent typing still sparked her interest, if not concern. While she says that she did not suspect him of any un-American activities, she still explicitly admits that it was his name and nationality that produced her intrigue with his typing. In this sense, Mrs. Parker seemed to be more affected by Mr. Von Heine's inherent foreignness, than by any evidence of his support for an enemy nation.

Following these testimonies and an examination of his alien registration undertaken in January 1944, Mr. Von Heine was interviewed for a second time on February 9, 1944.¹⁴⁰ Mr. Von Heine "advised that he had never been a member of the German American Bund nor has he ever held membership in any German

¹³⁹ Ibid.

¹⁴⁰ "FBI Report: Erich Wilhelm Von Heine 2-18-44," folder 146-2-16-280, Enemy Alien Case Files, Box 218, RG 60, NCA, p. 1.

organizations in the United States.”¹⁴¹ The investigators seemed particularly concerned about whether Mr. Von Heine was planning to pursue American citizenship once the war ended, a question that was often used as a criterion for ascertaining a sense of loyalty and commitment to the United States. In contradiction of his previous statement, when Mr. Von Heine was “specifically asked whether he intended to secure United States citizenship after the war” he answered that he was “undecided” because he was interested in pursuing a career with an American corporation in the European rehabilitation program that he was sure would follow the war.¹⁴²

Following this explanation, Mr. Von Heine elaborated on his sentiments:

he feels no obligation toward Germany as it exists today but he does have a sentimental feeling for the German people and the German fatherland inasmuch as he was born and raised there. He stated that this is more of an outgrowth of his pacifist ideals and he feels that any war against the German people is an outrage against humanity. In this respect he stated that he has no feeling other than hatred for Hitler and that he does not believe in National Socialism nor its ideals. He further stated he does not believe in dictatorship but instead has always been an advocate of pure democracy.¹⁴³

Mr. Von Heine continued to express this sentimental attachment to Germany in reference to his willingness to serve in the United States’ military; “concerning service in the armed forces subject advised that he is in reality a pacifist. He stated, however, if he were called for duty he would not hesitate to bear arms against Japan but that he would from sentimental purposes dislike bearing arms against Germany and if he had to fight against Germany he would prefer not to enter the army.”¹⁴⁴

This willingness to fight for the United States against Japan, but not Germany, is

¹⁴¹ Ibid., 2.

¹⁴² Ibid.

¹⁴³ Ibid., 2-3.

¹⁴⁴ Ibid., 3.

expressed throughout other cases and was again somewhat problematic for investigators to judge.

The case file of Mr. Von Heine ends with documentation of this interview, and without any reference as to what final decision, if any, the United States government took against him. Yet despite this lack of a conclusion, Mr. Von Heine's story is still compelling evidence of wartime surveillance in that it continued for just over a year not only without any incriminating evidence, but also without the development of a cohesive argument against Mr. Von Heine. The majority of the content of the file hardly pertains to the original charge levied at Mr. Von Heine—that he was unwilling to serve in the United States military—and yet the FBI pursued a relatively comprehensive investigation based mainly upon uncomplimentary character descriptions and other, unrelated, sources of suspicion. Unlike these seemingly arbitrary sources of suspicion, the case files in the next sections pertain to more procedural allegations, such as failure to comply with enemy alien restrictions.

Travel Permission: Mrs. Richard Eakin

Under the enemy alien regulations, enemy aliens were required to notify the FBI about any travel plans or change in job, and to obtain permission for physical relocations, presumably so that the government would be able to monitor their movement. In February 1944, Mrs. Richard Eakin was investigated for violating these restrictions and failing to secure permission to travel.¹⁴⁵ Mrs. Eakin had requested authority to travel to Seattle, Washington because her husband, who was

¹⁴⁵ “FBI Report: Mrs. Richard Eakin Feb-23-1944,” folder 146-13-2-16-262, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

serving in the United States' Navy, was being transferred there. The granting of her application was delayed when it came to light that she had previously travelled without obtaining the required permission. Mrs. Eakin gave a voluntary statement in which she claimed to not know that she was required to report her movements to the FBI in addition to the United States Attorney.¹⁴⁶ After discussing “numerous violations of the regulation pertaining to the conduct and travel of aliens of enemy nationalities” with an Assistant US Attorney, the FBI reported that the US Attorney declined prosecution against Mrs. Eakin and that her application for permission to travel was being approved.¹⁴⁷ As a purely technical violation, Mrs. Eakin's case represents how, even in the absence of any suspicion regarding loyalty or sympathies, the Enemy Alien Control Program functioned as a mechanism of surveillance and control.

Contraband: Mr. Karl Christopher Hentig and Mr. Harry Kramer

The possession of contraband items, most notably cameras and short wave radios, constituted another common procedural violation of the enemy alien regulations. Mr. Karl Christopher Hentig was found in the possession of contraband items, namely two cameras and a short wave radio. Mr. Hentig claimed that the camera belonged to his daughter and that he had asked his wife to dispose of the radio, but “she insisted that as she was an American citizen, it was entirely proper for the band to remain in operation.”¹⁴⁸ Nevertheless, despite the technical nature of his

¹⁴⁶ Ibid., 3-4.

¹⁴⁷ Ibid., 5.

¹⁴⁸ “In Re Alien Enemy: Karl Christopher August Hentig,” folder 146-13-2-51-1368, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

violation and his marriage to an American citizen, Mr. Hentig was taken into custody and detained at Ellis Island, though he was promptly released upon satisfactorily proving his innocence.¹⁴⁹ Mr. Hentig “said it is his intention to become a citizen of the United States” and, as sign of his sincerity, “maintain[ed] that the reason he left Germany was to escape the unrest and turmoil which persisted after the last war.”¹⁵⁰

In an almost identical case, Mr. Harry Kramer was also found in possession of contraband items, including a camera, a rifle, and ammunition. Although his American-born wife claimed ownership of these items, and claimed she “would gladly surrender same to avoid any embarrassment to her husband,” Mr. Kramer was still taken into custody and brought to Ellis Island.¹⁵¹ Mr. Kramer was released the same day. In both these cases, no informants from either a neighborhood or a place of employment were questioned; only the subject was interviewed. The lack of informants suggests the more minimal severity of the cases, despite the fact that both subjects were still temporarily detained.

Ruekwanderer Marks: Mrs. Hedwig Langer

Another relatively standard source of suspicion and rationale for an investigation regarded the purchase of Rueckwanderer marks. As German marks sold to residents in the United States of German descent, Rueckwander marks took on a

¹⁴⁹ According to operating procedures, subjects who were taken into custody were first brought to an Immigration and Naturalization Service facility for further questioning and possible detention. In this case, Ellis Island was presumably the closest INS facility.

¹⁵⁰ “FBI Report: Karl Christopher Hentig 5-15-42,” folder 146-13-2-51-1368, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 3.

¹⁵¹ “FBI Report: Harry Kramer 5-2-42,” folder 146-13-2-51-1367, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 2.; “Mathias F. Correa, United States Attorney, to Director, Alien Enemy Control Unit, In re: United States vs. Harry Kramer, April 27, 1942,” folder 146-13-2-51-1368, Enemy Alien Case Files, Box 417, RG 60, NACP.

symbolic importance in representing a connection, in this case financial, with Germany. The FBI apparently saw this linkage as more than merely representative, and in 1940 began compiling lists of German immigrants who had bought marks, targeting them for further surveillance.¹⁵² While most investigations included a question regarding the purchase of Rueckwanderer marks, most subjects denied having ever bought them. Mrs. Langer's case represents one of the few in which the subject did in fact admit to purchasing Rueckwanderer marks.¹⁵³ Mrs. Langer claimed that she purchased the marks for the purpose of "preventing her father-in-law from being dispossessed in Germany."¹⁵⁴ Upon investigation, both Mrs. Langer and her husband were found to possess "a good reputation for moral character in their resident community."¹⁵⁵ Ultimately, prosecution against Mrs. Langer was declined "on the grounds that the violation was highly technical and that there was no evidence of subversive activities to warrant internment."¹⁵⁶

Citizenship Status: The Staigers, Mr. Bahrt, and Mrs. Zell

The pursuit of citizenship, or more precisely naturalization, was commonly used as an indicator for ascertaining an alien's commitment to the United States, and thus his or her loyalty. However, it was not only the citizenship status of the subject of the investigation that was relevant. Rather, the citizenship status of the subject's

¹⁵² National Archives, "Media Alert, May 13, 2004: Chase National Bank, German Accounts, and Nazi Germany," <http://www.archives.gov/press/press-releases/2004/nr04-55.html>.

¹⁵³ "FBI Report: Mrs. Hedwig Langer 12-19-41," folder 146-2-51-1362, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

¹⁵⁴ "FBI Report: Mrs. Hedwig Langer 4-6-42," folder 146-13-2-51-1362, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

¹⁵⁵ "Langer 12-19-41," 3.

¹⁵⁶ "Langer 4-6-42," 1.

family members, specifically their spouse and children, was commonly included in investigations and often used as an additional measure of the extent to which the alien in question was bound to the United States.

For example, in the case of Karl Friedrich Wilhelm Meyertons, who was under investigation for possibly pro-Nazi sympathies and the possession of contraband items, the United States Attorney officiating the case stated that:

in view of the fact that no contraband had been discovered, and that subject was the only alien in a family of five citizens, and in view of the fact that there was no concrete evidence on the part of subject, that no request would be made at that time for the issuance of a presidential warrant.¹⁵⁷

That Mr. Meyertons belonged to a family of predominantly citizens was evidently considered nearly as relevant to the outcome of this case as the fact that there was no substantiating evidence. Conversely, given the legal prominence of citizenship status, the misrepresentation of citizenship status—that is falsely claiming to be a citizen—was often used as grounds for an enemy alien investigation.

Mr. Adolf Wilhelm Staiger and Mrs. Louisa Staiger were investigated for falsely claiming American citizenship. Mr. Staiger had apparently “misrepresented his citizenship status on his application for membership” in a union for hotel and restaurant workers, though he “claimed he did not fill out [the] form” and that the “person who did misquoted him.”¹⁵⁸ Mr. Staiger “stated that he is quite confident that he did not at any time represent himself to be a citizen when he actually is not.”¹⁵⁹ Stagier provoked further suspicion when it was discovered he had served in the

¹⁵⁷ “FBI Report: Karl Frederick Wilhelm Meyertons 5-22-43,” folder 146-13-2-48-1580, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 8-9.

¹⁵⁸ “FBI Report: Adolf Wilhelm Staiger, Louisa Staiger 2-17-43,” folder 146-13-2-16-276, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 3, 7.

¹⁵⁹ *Ibid.*, 7.

German Army during World War I and that he had a brother and five sisters still living in Germany that he had not listed on his enemy alien registration form.¹⁶⁰ When questioned about this omission, Mr. Staiger replied that he “inadvertently failed to list these relatives on his enemy alien registration application form and he also forgot to list a step-son.”¹⁶¹ As a result, the FBI undertook an “investigation instituted to determine whether the subject possessed any contraband and whether they had exhibited any pro-axis sympathies.”¹⁶² Thus, the declared purpose of the investigation was not consistent with the original allegation against the Staigers, rather the charge of misrepresentation of citizenship was used to justify examining the Staigers’ sympathies and activities.

According to the informant Harry W. Olney, Mr. Staiger “thought Germany was superior and that Hitler in effect was actually a ‘tin god.’”¹⁶³ Although Mr. Olney had been in contact with the Staigers for eight to ten years “principally as a neighbor,” it was noted in the report that Mr. Olney worked for the Division of Press Intelligence in the Office of War Information, a position that could add extra influence to his testimony.¹⁶⁴ Similarly, “although Louisa Staiger had never made any specific statements which would reflect her views towards Germany, through general conversation it appeared as though she was definitely pro-German.”¹⁶⁵

The neighborhood investigation also revealed an assortment of other details about the Staigers that, though not incriminating, cast them as distinct and

¹⁶⁰ Ibid., 1, 6.

¹⁶¹ Ibid., 6.

¹⁶² Ibid., 2.

¹⁶³ Ibid., 3-4.

¹⁶⁴ Ibid., 4.

¹⁶⁵ Ibid.

unassimilated. The Staigers apparently “did not associate a great deal with the neighbors” and “usually talk[ed] German within their home,” reinforcing their image as foreigners who were innately different or separate from their neighbors.¹⁶⁶

Furthermore, it was noted that Mr. Staiger was known for his “personal uncleanliness” and was “rather careless in his personal habits.”¹⁶⁷ While unrelated to the characterization of the Staigers as foreigners, this comment is clearly derogatory. The fact that it was included in the FBI report indicates the relevance of such observations and impressions to these investigations.

Ultimately, the U.S. Attorney “declined prosecution for falsely claiming citizenship and also declined to request issuance of presidential warrants for both subjects as dangerous alien enemies.”¹⁶⁸ Prosecution was declined “because subject did not receive any benefit from falsely claiming citizenship” and there was “no indication” either of them “were presently engaged in any activities inimical to the welfare of this country and their sympathies were apparently not strong enough to indicate that they would engage in such activities at the present time.”¹⁶⁹

In May 1943, George Lauritz Bahrt was under investigation for the “misrepresentation of citizenship status.”¹⁷⁰ In an attempt to procure a job at a restaurant that required citizenship, as “the employer wanted to be assured to engage a man with American speech and mannerisms rather than a foreigner,” Mr. Bahrt apparently falsely claimed to be an American citizen, although he insisted he “never

¹⁶⁶ Ibid., 5, 4.

¹⁶⁷ Ibid., 7.

¹⁶⁸ “FBI Report: Adolf Wilhelm Staiger 5-8-43,” folder 146-13-2-16-276, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

¹⁶⁹ Ibid.

¹⁷⁰ “FBI Report: George Lauritz Bahrt 5-11-43,” folder 146-13-2-16-268, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

emphasized actual citizenship” to his prospective employer.¹⁷¹ However, Mr. Bahrt admitted in a signed statement to “representing himself to be a citizen of the United States on at least two occasions.”¹⁷²

Although initially investigated because of his falsified citizenship status, Mr. Bahrt was further targeted once he came to the attention of an influential Judge. In February 1943, Judge Charles Henry Leavy informed the FBI that:

he considered Bahrt as suspicious because he was overly efficient, solicitous, and close mouthed and hung around the tables of certain persons in the House of Representatives restaurant, who were extremely critical of government policies at that time; Bahrt appeared to be trying to pick up information from conversations carried on by these persons. Judge Leavy stated that also he suspected Bahrt of being a German Alien from his appearance and actions.¹⁷³

This suspicion of alien status, based on his appearance, suggests that Judge Leavy’s contentions about Mr. Bahrt’s behavior in the restaurant were primarily driven by his prejudices about German aliens, or even aliens in general. Judge Leavy wanted to “assure that all employees in the House Restaurant were American-born,” indicating an explicit concern about the presence of immigrants in proximity to institutions of government, if not also a blatant dislike of immigrants in general.¹⁷⁴ In cases that include an informant who exhibits this generalized xenophobic attitude, the valences of observations are often altered, with behaviors that would normally have been seen neutral, if not positive—such as being “overly efficient”—converted into seemingly suspicious attributes.

¹⁷¹ “FBI Report: George Lauritz Bahrt 1-9-43,” folder 146-13-2-16-268, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 5-6.

¹⁷² *Ibid.*, 1.

¹⁷³ “Bahrt 5-11-43,” 6.

¹⁷⁴ “FBI Report: George Lauritz Bahrt 2-12-43,” folder 146-13-2-16-268, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

The Assistant U.S. Attorney consulted on the investigation concurred with Judge Leavy's suspicions, arguing that "the fact that Bahrt sought employment in the House of Representatives' restaurant, on the basis of American birth, whereas he is a German national, was sufficient to indicate the necessity for a thorough investigation."¹⁷⁵ This justification for investigation was supplemented by the Attorney's own suspicions, as he "further believed that the fact that Bahrt still had relatives living in Germany was predication enough for an intensive inquiry."¹⁷⁶ This comment further underscores the perception of threat associated with familial connections to Germany, serving to augment an individual's degree of foreignness.

The subsequent investigation "resulted in his dismissal as head-waiter" at the restaurant and Mr. Bahrt's residence was searched for contraband items. A map showing military facilities was found, but investigators concluded that he did not have any "un-American sympathies," and that he intended to be inducted into the United States' army.¹⁷⁷ The FBI seemed to find this willingness to serve in the military as sufficient to excuse Mr. Bahrt's misrepresentation of his citizenship status, explicitly stating that he "evidenced his good intentions by volunteering into the United States Army," and subsequently prosecution was declined.¹⁷⁸ The logic of this decision illuminates the significance of military service as a symbol of loyalty. Furthermore, although further prosecution was not pursued against Mr. Bahrt the dismissal from his job on the basis of unsubstantiated suspicions voiced by one

¹⁷⁵ "FBI Report: George Lourtiz Bahrt 12-4-42," folder 146-13-2-16-288, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

¹⁷⁶ Ibid.

¹⁷⁷ "Bahrt 1-9-43," 1.

¹⁷⁸ "Bahrt 5-11-43," 1.

influential individual reflects the informal, less institutionalized loss of livelihood that occurred as a result of these investigations.

Similarly, Mrs. Hildegard Lina Zell was investigated for falsifying her citizenship status, in addition to having violated travel permit requirements.¹⁷⁹ Mrs. Zell had reportedly “attempted to disguise her origin and obtained employment giving birth place as Chicago” as a hotel cashier.¹⁸⁰ Her status as an alien was eventually discovered by her employer and, coupled with suspicions voiced by neighbors and fellow employees that she might harbor pro-Nazi sympathies, prompted the investigation.¹⁸¹ The U.S. attorney declined prosecution in this case:

He did not believe that past activities and statements of the subject were sufficient to cause a hearing before the Alien Enemy Hearing Board and further advised that although the subjects violations of the Alien Enemy Control Regulations were numerous, they did not appear to be willful in nature, and therefore would decline prosecution for these violations.¹⁸²

The case against Mrs. Zell was largely constructed by evidence from a series of interviews with informants with whom Mrs. Zell had boarded, demonstrating a standard neighborhood investigation. Mrs. Peruzzi, with whom Mrs. Zell had lived with for six or eight months, reported that Mrs. Zell had told her that “her mother and father hated Franklin Roosevelt” and that her “father would like us to go back to Germany someday, and for me to marry someone worthwhile.”¹⁸³ When Mrs. Peruzzi suggested that she meant Hitler, Mrs. Zell apparently replied, “you have

¹⁷⁹ “FBI Report: Hildegard Lina Zell 12-11-43, folder 146-13-2-16-236, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

¹⁸² FBI Cover Page: Hildegard Lina Zell 3-29-44,” folder 146-13-2-16-326, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

¹⁸³ “Zell 12-11-43,” 6.

something there, he is a smart man and would make an excellent husband.”¹⁸⁴ Mrs. Zell also repeatedly told Mrs. Peruzzi that she thought “the Germans are hated here in the United States and that her father worked better in Germany and made more money there.”¹⁸⁵ However, Mrs. Peruzzi did not seem to find these comments threatening and “regarding the reasons for the subject’s moving, Mrs. Peruzzi advised the writer that the subject was fresh around the house and had made overtures toward Mr. Peruzzi and that she was finally asked to leave.”¹⁸⁶

Similarly, Mr. Elmer A. Brown, whose residence Mrs. Zell lived in during the spring of 1942, reported that she “had been asked to leave because of her very poor habits and her smoking in the house.”¹⁸⁷ Mr. Brown noted that “they did not have any roomers in their residence who smoke” and that Mrs. Zell, “kept very poor hours, but that whenever he conversed with her she had never made any comment on the war or indicated any sympathy.”¹⁸⁸ While not explicitly ‘evidence’ against Mrs. Zell, as any boarder would have been dismissed from a boarding house for these reasons, within the context of an enemy alien investigation, when character evaluations and personal impressions were so essential, these critical statements about Mrs. Zell’s behavior were especially significant.

Another former landlady, Mrs. Easterling, also advised that “the subject is somewhat of a showoff and was not liked in the house” and that she “seemed to be sorry for the German people,” providing both a character evaluation and appraisal of

¹⁸⁴ Ibid.

¹⁸⁵ Ibid., 7.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

suspicious sympathies.¹⁸⁹ Mrs. Kelly, yet another former landlady, from whom Mrs. Zell and her husband rented a room from for six weeks, reported that “so far as she knew the subject had not, in her house, expressed any un-American sentiments and that to her knowledge the subject was a good American.”¹⁹⁰ However, Mrs. Kelly maintained that “neither of these persons was desirable in her estimation and that she had asked them to leave” because of Mrs. Zell’s “habit rather than her sympathies.”¹⁹¹ While Mrs. Kelly negated the charge of disloyalty, her statements create an unfavorable impression of Mrs. Zell. Because judgments regarding enemy aliens were largely based more on impressions than facts, the negative image of Mrs. Zell that emerges from the neighborhood investigation is consequential, despite the simultaneous repudiations of her disloyalty. Moreover, the significance and meaning of these dismissals must also be questioned. They were apparently because of habit rather than sympathy- does that suggest that Mrs. Zell was treated just like any other sloppy boarder would have been, or does it mean that Mrs. Zell was dismissed because her improper habits were a sign of her innate foreignness and unacceptability?

In addition to her violation of travel restrictions and the neighborhood investigation, the investigation of Mrs. Zell also focused on her misrepresentation of citizenship, which in turn produced insight into Mrs. Zell’s own self-consciousness and concern about her alien status. According to Mrs. Leone Sibert, the personal secretary of Mrs. Zell’s employer and a former schoolmate of Mrs. Zell’s husband,

¹⁸⁹ Ibid.

¹⁹⁰ Ibid., 8.

¹⁹¹ Ibid., 7-8.

Mrs. Zell had applied for her first citizenship papers prior to the FBI investigation.¹⁹² Mrs. Sibert was of the opinion that Mrs. Zell was a “very good American” and related that her husband came from a “good family, possessed a good background,” and was serving in the United States armed forces.¹⁹³ From “numerous conversations” with Mrs. Zell, Mrs. Sibert seemed to be under the impression that Mrs. Zell was somewhat self-conscious about her alien status. Mrs. Sibert claimed that Mrs. Zell had “mentioned to her that she did not want the other girl at her place of employment to find out that she was a German alien.”¹⁹⁴ Mrs. Sibert speculated that it “was probably a desire on the part of the subject to avoid any difficulties which prompted her to state she was a citizen.”¹⁹⁵

In fact, in an incident recounted to the investigators, according to both Mrs. Zell and Mrs. Catherine Lusby, a fellow employee at the hotel who was “in close contact with the subject daily,” Mrs. Zell had expressed dissatisfaction and a sense of injustice about the portrayal of Germans in the United States and with the treatment of German Americans.¹⁹⁶ While in a movie theater with her husband, Mrs. Zell apparently made a comment “in regard to the treatment of Germans in America,” asserting that “the picture shows are not correctly portraying the German attitude” and, in reference to the portrayal of the treatment of Americans by Germans, that the “Germans are not nearly as bad as [they are] being made out to be” and “that probably Germans in America were getting similar treatment.”¹⁹⁷ Mrs. Zell’s

¹⁹² Ibid., 2.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Ibid., 3.

¹⁹⁷ Ibid.

comments were entirely passive in nature and were concerned with portrayal and reputation, rather than suggesting any action or dangerous activity. Yet, while not overtly threatening in any manner, Mrs. Zell's comments, which reportedly "embarrassed" her American husband, refuted the prevailing belief that if enemy aliens were truly loyal to the United States, then they would be fully accepting of the treatment directed towards them and willing to undergo anything to prove their loyalty.¹⁹⁸ Thus, Mrs. Zell's statement could have been interpreted as an indication that her allegiance did not solely lie with the United States; a conjecture that seems plausible given that her comment was deemed important enough to be recounted by multiple informants in a federal investigation, the original aim of which was to investigate her technical violations of the alien enemy regulations.

Conclusion

The selection of case files presented in this chapter provide an overview of both the common patterns of enemy alien investigations that were applied to all classes of enemy aliens and, more specifically, the characterizations of German immigrants that were collected in these investigations. FBI investigations undertaken for the Alien Enemy Control Unit were based on the perceptions and impressions of individual informants, who may or may not have been credible or neutral sources of information. While some investigations were predicated on procedural or technical violations of enemy alien regulations, others were premised on "unsubstantiated

¹⁹⁸ Ibid.

hearsay” and other arbitrary sources of suspicion.¹⁹⁹ Similarly, the standards for what constituted legitimate evidence were relatively fluid and ambiguous. As a result of this overall lack of standardization and official criteria, the personal perceptions, impressions, and judgments of individuals were the determining factors in the outcomes of these enemy alien cases. These personal assessments reflected informants’ evaluations of the subjects’ foreignness. As the dual characterizations of Mrs. Whiteman—the borderline case—and other subjects demonstrate, German immigrants, unlike other enemy aliens, were positioned on the brink of conceptions of ‘familiarity’ and ‘foreignness.’ The following chapter explores how this dichotomy of foreignness and familiarity was impacted by the threat posed by Nazism and the German state.

¹⁹⁹ Tolzmann, *The German-American Experience*, 336.

Chapter 4: The Nazis Next Door

Introduction

Through examining case files of individuals with alleged linkages to the Nazi Party and ideology, this chapter brings together the two components that determine positioning on the spectrum of foreignness; assigned degree of foreignness and the perceived threat level of the enemy state. This relationship, between the real strategic threat posed by Germany and the relatively low degree of foreignness assigned to the German community in America, is approximated in each case study in which an individual immigrant becomes representative of Germany's foreign policy threat through their direct linkages to Nazism, whether substantiated or simply alleged. While the perceived threat level certainly overcame any notion of familiarity in the cases of the 10,906 Germans who were interned during the war, in other cases a familiar, Americanized image diluted anti-German animus and led to the dismissal of cases.²⁰⁰ These instances further establish the primacy of subjective impressions in influencing the differential treatment of enemy aliens.

Espionage: Mr. and Mrs. Karl Johannes Van Erp

Despite the underlying concern that every German immigrant could be a spy, an explicit, plausible allegation of espionage was quite rare. Beginning in 1939, Karl Johannes Van Erp and his wife were suspected of possible espionage after they were reported touring around the United States inspecting various dams; they remained

²⁰⁰ This figure included both German legal residents and a small number of German citizens. Holian, *The German-Americans and World War II*, 3.

under surveillance through May 1943.²⁰¹ Though he was “supposed to be representing an American firm, selling electrical equipment,” Mr. Van Erp’s activities, and his appearance, prompted the allegation of espionage in September 1939, more than two years before official American involvement in the war.²⁰² While this could be explained by the severity of the charge of espionage, the fact that the investigation predated American entry into the war, and the classification of German immigrants as enemy aliens, also suggests that, in the absence of a formalized military threat and foreign policy rationale, perceptions of foreignness were integral to the examination of potentially dangerous individuals.

Early informants in this investigation were a Mrs. Kinkade and her daughter who had become acquainted with the Van Erps while staying at the same hotel in Washington state for a few days.²⁰³ Mrs. Kinkade described Mr. Van Erp as “well dressed, well groomed,” and said that he “appeared to be a high-class German” with “excellent” manners and a German accent.²⁰⁴ Similarly, Mrs. Kinkade described Mrs. Van Erp’s “general appearance” as “very well dressed, in conservative manner; very attractive” with a “decided German” accent.²⁰⁵ According to the writer of the report, the Kinkades were said to be “impressed with their charm and social poise but were not in any way suspicious of them.”²⁰⁶

After its initial investigation in 1939, the FBI seemed ready to drop the case, reporting in January 1940 that:

²⁰¹ “FBI Report: K.T. Van Erp 9-10-39,” folder 146-13-2-16-274, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Ibid, 3.

²⁰⁵ Ibid.

²⁰⁶ Ibid., 1.

in as much as the persons interviewed could give no information which is tangible and definite indicating that Van Erp is involved in unusual or suspicious activities and since investigation reveals that Van Erp is evidently occupied in a business which necessitates travelling and dealing with power machinery and since there is no indication of any trouble in which subject has been involved, this case is being referred upon completion to the office of origin.²⁰⁷

However, by November 1940 interest in Mr. Van Erp was reactivated upon learning of his imminent departure from the United States to Japan.²⁰⁸ The rationale for this resumed investigation seems to have been information provided by a Mr. Medcraf, who met the Van Erps in the summer of 1939.²⁰⁹ According to a report dated January 1940, Mr. Medcraf was under the impression that “in view of the pro-Nazi sentiments of Van Erp... he was undoubtedly in a position to furnish information to the Nazi government which might be of great importance in the event that the government wished to encourage sabotage of American power dams and other facilities.”²¹⁰ Although Mr. Medcraf seemed to have known the Van Erps only somewhat peripherally, and for a limited period of time, his testimony was apparently enough to prompt the continuation of investigative activities. A search warrant was issued to examine Mr. Van Erp’s belongings before his departure for Japan and he was found to have in his possession “photos and sketches of water power facilities, as well as having had a “concealed camera while visiting dams.”²¹¹ Some of the materials found were “withheld pending examination as to the relation and importance of such

²⁰⁷ Ibid., 6.

²⁰⁸ “FBI Report: Karl Johannes Van Erp 11-12-40,” folder 146-13-2-16-275, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

²⁰⁹ “FBI Report: Karl Johannes Van Erp 12-17-40,” folder 146-13-2-275, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

²¹⁰ Ibid., 2.

²¹¹ “Van Erp 11-12-40,” 2, 1.

material to national defense,” indicating that the government did in fact seriously view Mr. Van Erp as a potential conduit of information, if not of overt espionage.²¹²

Despite this, the government did not take action against Mr. Van Erp before he left the country. What exactly became of the Van Erps is unknown, however it appears that the government attempted to keep track of him following his departure. In May 1943, the Immigration and Naturalization Service compiled a “confidential abstract of consolidated files,” in which Mr. Van Erp’s whereabouts were reported as last known in 1940 and the government seemed to be trying at that time to determine whether he had reentered the United States at any point.²¹³

Alien or Agitator?: Mr. Fritz Friedrich Wilhelm Rosenberg

The FBI investigation of Fritz Friedrich Wilhelm Rosenberg was initiated after a charge was made that Mr. Rosenberg was a member of the Nazi Party. This claim emerged from the investigation of another German, Kurt Lauter, who himself had “admitted membership in the NSDAP.”²¹⁴ Prior to this charge, however, Mr. Rosenberg had been previously investigated by the Immigration and Naturalization Service for having entered the United States illegally and for assisting another German immigrant, Frank Karl Bueb, to also enter illegally. This earlier charge originated from an Army Exclusion Board hearing afforded to Mr. Bueb, whose case

²¹² Ibid., 2.

²¹³ “Consolidated Abstract of Consolidated File,” folder 146-13-2-16-275, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1-2.; “Director Edward J. Ennis to Mr. Earl G. Harrison, Commissioner, Immigration and Naturalization Service, Re: Karl Johannes Van Erp,” folder 146-13-2-16-275, Enemy Alien Case Files, Box 218, RG 60, NACP.

²¹⁴ “FBI Report: Fritz Rosenberg 5-24-44,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

was classified as ‘Espionage.’²¹⁵ Thus, in the case of Mr. Rosenberg the Immigration and Naturalization Service conducted its own investigation, which was then reviewed and cited in the subsequent FBI investigation sparked by the accusation of membership in the Nazi Party. Though the information procured from these two investigations is largely merged within Mr. Rosenberg’s Enemy Alien Case File, his case displays one possible scenario for someone accused of being a Nazi and demonstrates how personal immigration histories were utilized in enemy alien investigations. Furthermore, the case includes a relatively large volume of informant testimonies, further contributing to the understanding of the role of neighbors, landlords, employers, and other acquaintances in these investigations.

On April 14, 1944, Kurt Lauter was interviewed “regarding his affiliation” with Mr. Rosenberg, and directly accused Mr. Rosenberg of being a member of the Nazi Party, although his accusations seemed to lack corroborating evidence.²¹⁶ Mr. Lauter began by describing early interactions with Mr. Rosenberg, in which he painted a less than upstanding portrait of Mr. Rosenberg and suggested his connections with the Nazi Party:

I recall that in my general conversations with Rosenberg thereafter, he often told me that in his off hours he was in the habit of making the rounds of New York night clubs with friends of his employed as seamen on German boats who were in the United States temporarily while their ships were docked in New York or New Jersey Ports. I asked him on one occasion just who these men were and he answered they were mostly all members of the N.S.D.A.P.²¹⁷

Lauter then explicitly accused Mr. Rosenberg of not only being a member of the Nazi Party, but of being an original and distinguished member of the party. He recalled:

²¹⁵ “FBI Report: Fritz Rosneberg 4-15-43,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

²¹⁶ “Rosenberg 5-24-44,” 1.

²¹⁷ Ibid., 2.

In early 1938 I remember Rosenberg asking me whether or not I was a naturalized U.S. citizen. When I told him I was still a German alien, he told me it was my duty as a loyal German citizen to take immediate steps to become a member of the N.S.D.A.P. At this time Rosenberg advised me that he was a member of the N.S.D.A.P. himself, pointing out that he had in his possession a Gold Medal of Honor, indicating he had joined the Party at the time of the Beer Hall Putsch in Munich in 1924. I recall that he did not go into further details concerning his earlier experiences in the Party, nor did he ever show me his Gold Medal of Honor or his party membership button.²¹⁸

Despite these allegations, Mr. Lauter was unable to provide any actual proof of Mr. Rosenberg's association with the party. He qualified his statement, saying, "I would like to point out that I never saw Rosenberg at any Party meetings or functions."²¹⁹ Yet, Mr. Lauter was adamant in his accusations, arguing that "I wish to state that although Rosenberg never exhibited to me any type of button or card showing his affiliation with the Party, I am certain he was actually a member, not only through his own admissions, but also because of his close contact with Doctor Draeger, the leader of the Party in New York City."²²⁰ According to the United States Attorney who ultimately reviewed Mr. Rosenberg's case, "Nothing is found in the reports which might be derogatory except the statement by one, Kurt Lauter."²²¹ Yet, despite this eventual determination, Mr. Rosenberg was still subject to a series of interviews and character evaluations.

The initial descriptions and evidence about Mr. Rosenberg's character and activities were from interviews that had been conducted by the Immigration and Naturalization Service in association with the accusation of illegal entry stemming

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Ibid., 3.

²²¹ "Charles H. Carr, United States Attorney, to Honorable Herbert Wechaler, Assistant Attorney General, Re: Fritz Friedrich Wilhelm Rosenberg, April 20, 1945," folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP.

from Mr. Bueb's case. Mr. Rosenberg reportedly worked at a bakery company for Mr. Jack Cooper for about a month in the winter of 1939.²²² According to Mr. Cooper, Mr. Rosenberg's "work was not entirely satisfactory and he was released about four weeks" after being hired.²²³ Besides recollecting Mr. Rosenberg's deficient professional abilities, Mr. Cooper stated that:

he also remembered that he had talked with the subject considerably about Hitler and the German movement because at that time the war situation in Europe was becoming serious and it was the most common topic of conversation with everyone. Rosenberg appeared to have a definitely antagonistic feeling toward Hitler and the Nazi Party, but Cooper states that he always had the feeling that Rosenberg didn't mean quite all he said in that respect. He added that the subject spoke with such a thick German accent that it was very hard to understand him clearly.²²⁴

By qualifying his statements, the image that emerges from Mr. Cooper's testimony is relatively ambiguous and suggestive of an inherent strain of suspicion despite concrete evidence to the contrary. Moreover, Mr. Cooper's admission that he had a "feeling" that Mr. Rosenberg was perhaps concealing his true beliefs and the reference to his Mr. Rosenberg's accent exemplifies the precedent of impressions of foreignness being construed as evidence.

The possibility that these suspicions of disloyalty could be substantiated emerged from further informant testimonies, which were much more overtly accusatory. Miss Carol Williams, a friend of Mr. Bueb's, "related to Special Agents that Bueb had told her several times that Rosenberg was an agent for the German government, and she also claimed that he had threatened her life if she ever revealed

²²² "FBI Report: Fritz Rosenberg 4-15-43," folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

²²³ Ibid., 2.

²²⁴ Ibid.

that fact.”²²⁵ Another informant, Dudley Gould, whose relationship with Mr. Rosenberg is left unclear, “stated that Rosenberg personally told him that he was one of the first 5000 Nazis.”²²⁶

In addition to these character evaluations, the investigative report also contained a physical description of Mr. Rosenberg, which was “obtained from individuals who had been acquainted with him during 1939-40;” such descriptions were a relatively standard, though not uniform, feature of these reports.²²⁷ What is striking about this physical description, however, is that besides the usual approximations of age, height, weight, hair and eye color, the collection of information about Mr. Rosenberg also included a description of his mustache, which was described as “small” and “similar to Hitler’s.”²²⁸

By the end of 1941 Mr. Rosenberg had apparently relocated from the East Coast to Southern California, where he “voluntarily registered as a German alien with the Police Department at Santa Barbara.”²²⁹ On January 28, 1942, a warrant was issued for his arrest for having entered the United States illegally and in a hearing he “admitted he had entered the United States illegally.”²³⁰ That same day Mr. Rosenberg was sent to the Ventura County Jail, where he remained in custody until May 1942.²³¹ In February 1942, prior to his release from jail, he was afforded a hearing in which he “stated that he had not belonged to the Nazi Party and had never

²²⁵ Ibid., 3.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Ibid.

²²⁹ “FBI Report: Fritz Rosenberg 7-5-43,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

²³⁰ “FBI Report: Fritz Rosenberg 6-9-42,” folder 146-13-2-16-294, Enemy Alien Case File, Box 218, RG 60, NACP, p. 1-2, 3.

²³¹ Ibid., 1, 2.

served in the German Army or Navy, and did not wish to return to Germany, and wished to stay in the United States.”²³² Deportation, either at his own expense or at the expense of the government was considered, but ultimately it was decided that Mr. Rosenberg would be released from prison and allowed to stay in the United States as long as he signed “an agreement to keep the District Office, Immigration and Naturalization Service at Los Angeles informed of his whereabouts at all times.”²³³ The FBI, the United States Army, and the Western Defense Command of the Army were also all notified of his status and “offered no objections,” indicating that at this time he was not considered a security threat.²³⁴ Similarly, despite his incarceration, “the investigation by the Immigration and Naturalization Service disclosed no subversive tendencies or actions on the part of the subject,” confirming that his arrest and detention were due to his status as an illegal immigrant, rather than as an enemy alien.²³⁵ Mr. Rosenberg was then able to register for a Certificate of Identification as an enemy alien.²³⁶

Although involved in these various legal proceedings pertaining to his status as a foreigner, Mr. Rosenberg maintained a relatively neutral reputation among his acquaintances in California. An investigating FBI agent concluded that “persons who knew subject when he resided in Santa Barbara consider him hard-working individual and know nothing suspicious about him, he being very close-mouthed about his activities.”²³⁷ Mrs. Harriet Barth, the wife of Mr. Rosenberg’s deceased uncle with

²³² Ibid., 5.

²³³ Ibid., 4.

²³⁴ Ibid.

²³⁵ Ibid., 4.

²³⁶ Ibid., 2.

²³⁷ “FBI Report: Fritz Rosenberg 10-11-43,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

whom Mr. Rosenberg stayed with for about six months, related that she “found him to be a reliable and dependable type of person and she had noticed nothing to indicate he might be engaged in subversive activity.”²³⁸ According to Mrs. Barth, Mr. Rosenberg had “expressed his bitterness toward the Nazi regime in Germany and his thankfulness that he was in the United States.”²³⁹ However, following his arrest and parole by the Immigration and Naturalization Service, Mrs. Barth “considered it prudent to refuse him permission to live” at her home “inasmuch as his difficulties were so well known in Santa Barbara.”²⁴⁰ Similarly, former landlady, Margaret Callis, recounted that “she considered him a very meek and harmless individual and a typical refugee. She stated that when he resided at her home his actions had been absolutely normal and she had noted nothing suspicious as to his ways or the persons who called on him.”²⁴¹

Yet, despite this “excellent reputation,” Mr. Rosenberg’s alien status, though not specifically his incarceration for illegal entry, still seemed to provoke concern over his presence and activities.²⁴² R.A. Anderson, the Personnel Director of the bakery company Mr. Rosenberg was employed by said that:

the subject had been employed as a baker since May 9, 1943. He had not missed work since that time and worked considerably overtime, averaging approximately 55 hours a week. He had once advised that he had made a mistake about payment of income taxes and was having to make heavy payments to correct the matter and for that reason he was interested in working as much overtime as possible. He is a very satisfactory employee, but since he is an alien, Anderson has made occasional checks on the man’s

²³⁸ Ibid., 2-3.

²³⁹ Ibid., 3.

²⁴⁰ Ibid.

²⁴¹ Ibid., 2.

²⁴² “FBI Report: Fritz Rosenberg 12-2-43,” folder 146-13-2-16-298, Enemy Alien Case File, Box 218, RG 60, NACP, p. 1.

work and the way he is regarded in the plant and at all times these checks have shown that the subject is well regarded in the plant.²⁴³

This idea that, perhaps, Mr. Rosenberg was hiding something, despite all evidence to the contrary, was repeated in the testimony from Mr. H. Budan, from whom Mr. Rosenbreg rented an apartment. He “remarked that he considered himself, Budan, qualified to make these remarks since he had at one time been a Deputy Sheriff and, therefore, had had experience in observing other people’s actions.”²⁴⁴ Mr. Budan recounted that he and Mr. Rosenberg had “frequent conversations,” but that “he had talked about the Nazis on only one occasion when he said that it would probably take a long time to beat Germany.”²⁴⁵ Mr. Budan “was of the opinion that the subject is very intelligent” and “as Budan expressed it, ‘nobody’s fool,’ but that so far as he has been able to observe everything he has done has been above reproach.”²⁴⁶

On November 17, 1943, Mr. Rosenberg was interviewed by two FBI agents as part of the investigation originating from Mr. Lauter’s claim that Mr. Rosenberg was a member of the Nazi Party.²⁴⁷ Mr. Rosenberg:

denied flatly he had ever had anything to do with the Nazi party and denied that he was ever a member of the Nazi party or that he had ever told anyone that he was a member of the Party. He also denied that he had ever claimed to be one of the [first] five thousand members of the Nazi Party. He denied ever being a member of any of the sub-divisions of the Nazi Party or any of its related organizations.²⁴⁸

Additionally in this interview, Mr. Rosenberg “was particularly questioned regarding any assistance which he may have afforded Franz Karl Bueb but stated that he did not

²⁴³ Ibid., 2.

²⁴⁴ Ibid.

²⁴⁵ Ibid.

²⁴⁶ Ibid.

²⁴⁷ Ibid., 3.

²⁴⁸ Ibid.

know that he was in the country illegally.”²⁴⁹ However, in a subsequent interview on September 28, 1944, Mr. Rosenberg admitted that he had in fact helped Mr. Bueb enter the country illegally.²⁵⁰ Despite admission of guilt on this one point, Mr. Rosenberg maintained in the same interview that he had never been a member of the Nazi party. He claimed he did not “recall the name Kurt Lauter” and insisted that “at no time while I was employed at Myer’s Bakery did I ever talk to anyone about joining the Nazi Party.”²⁵¹ He explicitly stated that “at no time was I ever a member of the N.S.D.A.P. Also at no time did I ever attempt to join the party.”²⁵²

Ultimately, the government chose not, at least immediately, to pursue prosecution of Mr. Rosenberg. In reviewing the files, the United States Attorney concluded that:

From what can be gleaned from the investigation reports, it is felt that there is not convincing evidence that the subject was ever a member of the National Socialist Party, and unless his name is contained in the Attorney General’s list of registered members of the National Socialist Party, this office is of the opinion that the issuing of a Presidential Warrant on this subject should remain in abeyance until further proof.²⁵³

What precisely became of Mr. Rosenberg is unknown; however, from the information compiled in his case file it appears that he was released and allowed to return to his normal life. As the subject of investigations focused on both his status as a an illegal immigrant and then, separately, as a potentially dangerous enemy alien who was a member of the Nazi party, Mr. Rosenberg’s experience is illustrative of two distinct, yet interrelated, responses to his more general status as a foreigner. The

²⁴⁹ Ibid.

²⁵⁰ “FBI Report Fritz Rosenberg 10-9-44,” folder 146-13-2-16-298, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 3.

²⁵¹ Ibid., 4.

²⁵² Ibid.

²⁵³ “Carr to Wechsler, Re: Rosenberg, April 20, 1945,” 2.

government's most severe action against Mr. Rosenberg, incarcerating him for a period of about four months, was notably due to his illegal entry into the United States. Allegations that he was a Nazi or at least a potentially dangerous enemy alien were dismissed upon completion of the investigation. It seems, then, that ultimately his status as a foreigner, specifically one whose legal status was in question, was considered more threatening than an apparently unsubstantiated claim about his affiliation with the Nazi Party and the German government.

The Different Ways to be a Nazi: Mr. Horlitz, Mr. Riehl, and Mrs. Kerekes

Along with presenting specific insights about the nature of enemy alien investigations, the case files of Mr. Wilhelm Frederick Horlitz, Mr. Wilhelm Riehl, and Mrs. Julia Kerekes, when collectively juxtaposed, allow for a comparison of how various types of linkages to Nazism were managed within the context of these investigations. The investigation against Mr. Wilhelm Frederick Horlitz was prompted by his name appearing on a list of N.S.D.A.P. members that came into the hands of the FBI. Although Mr. Horlitz denied his membership in the party, he did admit to having purchased Rueckwanderer marks and to belonging to a number of other German American organizations and bunds.²⁵⁴

Deemed a serious possible threat, Mr. Horlitz was granted a hearing before an Enemy Alien Hearing Board. Present at this hearing was an Assistant United States Attorney, an Immigrant Inspector, an FBI Special Agent, and a Clerk in Charge from

²⁵⁴ "FBI Report: Wilhelm Horlitz Nov 27 1943," folder 146-13-2-51-1314, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

the National Defense Section of the U.S. Attorney's Office.²⁵⁵ Although his association with German American organizations, definitively with various Bunds and allegedly with the Nazi Party, was certainly incriminating, Mr. Horlitz was still, it seems, given the opportunity to attempt to convince the Board of his loyalty to the United States. As evidence of his loyalty, Mr. Horlitz related that his son was serving in the United States Army and that he had bought war bonds. The transcript of the hearing also shows that the United States Attorney questioned Mr. Horlitz about whether he had ever contributed money to the Red Cross, and whether he had ever donated blood; Mr. Horlitz answered yes to both.²⁵⁶ While financial contributions to the war effort may be a viable measure of an individual's commitment, or appearance of commitment, to the cause, donating blood seems to be a strangely minute criteria to include in a procedure designed to determine the internal security threat an individual posed. In turn, this displays the largely subjective and arbitrary nature of the investigations.

Despite Mr. Horlitz's testimony, however, the Hearing Board deemed Mr. Horlitz to be at least a minimal threat, and decided to parole him for the duration of the war. The report reads:

Notwithstanding subject's denials, it appears that he did make application to join the Nazi Party. Moreover, he was a member of the Kyffhauser Bund. However, there is no indication that subject has openly expressed pro-Nazi sympathies or that he has spread pro-Nazi propaganda. He claims present loyalty to this country and one of his sons is in the United States Army. Under these circumstances, it is believed that the internal security would be sufficiently protected by subject's strict parole.²⁵⁷

²⁵⁵ Transcript, "Enemy Alien Hearing, Oct 20 1944," folder 146-13-2-51-1314, Enemy Alien Case Files, Box 417, RG 60, NACP.

²⁵⁶ Ibid.

²⁵⁷ "Memorandum for the Chief of the Review Section," Nov 24, 1944, folder 146-13-2-51-1314, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 5.

Mr. Horlitz was released from parole in November 1945, about half a year after an Allied victory was declared in the European theater.²⁵⁸

In contrast to the cases in which subjects were investigated for membership in or affiliation with German or Nazi organizations, whether only suspected or actually factual, the case of Mr. Wilhelm Riehl presents a slightly different scenario; a one-time Nazi sympathizer who professed to previous interest in the ideology, but was never actively engaged with any activities or organizations. Mr. Riehl first came to the government's attention through inspection at his workplace. Representatives from the U.S. Army had interviewed him twice at the Hanovia Chemical and Manufacturing Company where he worked, and "advised him that he will be permitted to remain on his job in spite of the fact that some departments of the company are engaged in war work."²⁵⁹ Although the Army clearly did not deem him a security threat, the FBI became interested in him when they received information from Mr. Riehl's maid claiming that he made "pro-Nazi statements and frequently ha[d] German visitors."²⁶⁰ While Mr. Riehl admitted to having two sisters in Germany, as well as an adopted son who had been inducted into the German Air Force, these allegations and familial linkages with Germany were relatively standard.²⁶¹ What preoccupied the FBI most, however, was Mr. Riehl's admission of his own interest in Nazism.

²⁵⁸ "Ellis Island, filed Aug 27, 1946," folder 146-13-2-51-1314, Enemy Alien Case Files, Box 417, RG 60, NACP.

²⁵⁹ "FBI Report: Wilhelm Riehl 6-4-43," folder 146-13-2-48-1604, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 5.

²⁶⁰ *Ibid.*, 2.

²⁶¹ *Ibid.*, 1.

Mr. Riehl advised that when Nazism first became an important factor in German politics, he became interested and decided to study the philosophy in order to decide in his own mind whether it would be a good thing for Germany. In connection with this, he subscribed to the Reichwart, a German weekly magazine from 1935 until 1940. He also admitted that he listened to German programs on the short wave radio and received "Facts in Review" for about one year from the German Library of Information. He also admitted that he received "Polish Acts of Atrocities" from the German Library of Information. He denied contributing anything to the German Library of Information for those books and magazines. He also advised that all these magazines were destroyed. Riehl denied that he had ever been a member of any pro-Nazi organization in this country or abroad. He further denied he had attended any meetings of such organizations, or contributed to their support.²⁶²

Riehl admitted that before the war started, he had a picture of Hitler hanging in his living room which had been drawn by his son. He explained that his son was an artist and he kept the picture for sentimental reasons rather than political. He further advised that after studying a great deal about National Socialism, he decided it was not a good thing for Germany or any other country. His reasons for this decision, he stated, were that the system would inevitably lead to war. He further advised that he did not agree with the [strict] military rule and their prejudices which were so much a part of Nazism. Riehl advised that when he made this decision he destroyed all books concerning Nazism, as well as the picture of Hitler which his son had painted.²⁶³

However, when the FBI searched his residence, a booklet titled "What Every Congressmen Should Know" was found. The booklet apparently contained "anti-Semitic propaganda concerning the Jews employed by the United States Government."²⁶⁴

Notably, while Mr. Riehl was directly interviewed, neither an employment nor neighborhood investigation was undertaken in his case. While the explanation for this could simply be that the circumstances of the case did not warrant a thorough investigation, it is also possible that because of the nature of the charge against him the FBI knew that the neighborhood and employment investigations would prove

²⁶² Ibid., 4.

²⁶³ Ibid., 4-5.

²⁶⁴ Ibid., 5.

futile. While the initial allegation against Mr. Riehl originated from his maid, the information gleaned from the interview with Mr. Riehl suggests that his interest in Nazism was mainly internal and inactive. The continued possession of the pamphlet and the incident of the portrait of Hitler suggests a more emotional or intellectual attachment that would classify Mr. Riehl, at least temporarily, as a Nazi sympathizer.

Mr. Riehl claimed to abandon his interest in and adherence to Nazism after completing his research. While the continued possession of an anti-Semitic booklet even during the war is certainly questionable, Mr. Riehl “advised that if he were younger and called upon to fight against Germany he would not refuse to do so. He advised that he feels that he has no obligation to Germany. He further stated that he believes that he and all other German aliens have been treated fairly in this war.”²⁶⁵ Ultimately, the United States Attorney declined to request a Presidential Warrant for Mr. Riehl, which demonstrates the limited ability of the government, in the absence of corroborative evidence of disloyalty, to prosecute individuals solely on the basis of their personal beliefs. This in turn, alludes to the fundamental tension apparent in many case files between sympathies and actions, and the corresponding evaluation of how each could potentially pose a threat to internal security.

Julia Kerekes was investigated as the owner of the German Book Store in New York City, which was “an alleged Nazi center.”²⁶⁶ Selling German, Hungarian, and English books, the shop apparently “carried on an extensive foreign business prior to the war.”²⁶⁷ Once the war began, these foreign transactions presumably

²⁶⁵ Ibid.

²⁶⁶ “FBI Report: Julia Kerekes 4-6-42,” folder 146-13-2-51-1354, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

²⁶⁷ Ibid., 2.

stalled, but the shop still retained its ‘foreign’ reputation, as it was “patronized mostly by Germans.”²⁶⁸ An informant “indicated that the book store was a meeting place for some of the higher-ups of the German bunch in that neighborhood,” describing it as “very ahush.”²⁶⁹ While the store did not apparently carry any subversive or “inflammatory,” materials, Mrs. Kerekes and her daughter and son-in-law who also claimed ownership of the store, were apparently “known to be pro-German in their speech and convinced that Germany will eventually win the war.”²⁷⁰ The informant further stated that both Mrs. Kerekes and her son-in-law were willing to engage in discussion about the war with anyone who came into the store.²⁷¹

As facilitators of some kind of organized, German community, even if on the local scale of a neighborhood book store, given the precedents of the enemy alien program it would be expected that the FBI would pursue action against Mrs. Kerekes and her family. And while they did obtain a search warrant, “in view of the citizenship status of all the members of the firm, the search warrant was returned non est, no search being made.”²⁷² As the FBI discovered, all three owners of the store were citizens, and thus the regulations pertaining to enemy aliens were not applicable. As citizens, even of German descent, owning a German bookstore was not sufficient grounds for government action beyond a preliminary investigation. Despite the overt foreignness of a German bookstore patronized almost exclusively by Germans, this visible ‘foreignness’ was diminished by the formality of citizenship. Ultimately, the comparison of Mrs. Kerekes case with those of Mr. Riehl and Mr. Horlitz not only

²⁶⁸ Ibid.

²⁶⁹ Ibid.

²⁷⁰ Ibid., 2-3.

²⁷¹ Ibid., 3.

²⁷² Ibid.

illustrates how disparate types of connections to Nazism—membership, personal sympathy, or more organized support— were examined and reacted to, but also thus further emphasizes the inherent lack of cohesiveness among the investigations.

New Jersey Nazis: Mr. Kessler and the Mullers

The following two case files represent a sub-set of investigations that were carried out by the FBI's Newark Field Office that predominantly focus on individuals who had allegedly attended camps in New Jersey run by the German-American Bund. Besides this common accusation, this grouping of case files also exhibits a higher degree of similarity and standardization among the investigative questions employed. The following statement, attributed to Mr. Friedrich Wilhelm Vogelsang, represents one of multiple statements contained in this sample that reflect a standard line of questioning, one that was not replicated in cases from other offices:

He said that he desired to see the United States and her allies win the war at the present time; that he does not feel the German or Italian minority in the United States are being persecuted. He feels no obligation or duty to Germany, Italy or Japan and prefers the democratic form of government rather than a dictatorship. Subject stated that if he were interned he would not want to be repatriated to Germany and that he felt that if he had done something wrong, it would only be right that he be interned.²⁷³

The high degree of standardization within this sub-set originating from one FBI field office directly contrasts with the relatively ad-hoc character of investigations from other offices. Thus, the cohesiveness of this set of files actually highlights the arbitrariness of the enemy alien program as a whole.

²⁷³ "FBI Report: Friedrich Wilhelm Vogelsang 6-1-43," folder 146-13-2-48-1595, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 7.

The investigation of Mr. Erich Heinrich Kessler was prompted by “information furnished to the Bureau by a highly confidential source to the effect that the Subject’s car... was observed at German-American Bund meeting at Camp Nordland, Andover, New Jersey, in 1941.”²⁷⁴ Furthermore, information was received that Mr. Kessler’s car was also seen “at Federal Hill Camp, near Riverdale, New Jersey, which was owned and operated by the Deutsch-Amerikanischen Burefsgeneinschaft on April 20, 1941.”²⁷⁵

Upon interrogation, Mr. Kessler “admitted that he attended Camp Nordland three times for association and recreation.” Though he said he “saw several people wearing arm bands; the main activities were dancing and swimming.”²⁷⁶ Similarly, he owned “a bungalow at Camp Bergwald and spent the weekends of the summer months there for several years. He said almost everyone spoke German at the camp, which gave the children an opportunity to learn the language.”²⁷⁷

Yet, his presence at these camps, whether purely recreational or not, was not the only evidence that cast suspicion upon Mr. Kessler. His name had been found “among the records obtained under Subpoena from the National Headquarters of the Deutsch-Amerikanische Berufsgemeinshchaft, New York City.”²⁷⁸ As a result of these suspected affiliations, and consistent with the standard criteria used in these investigations, his linkages to Germany, in the form of family members, literature, and expressed loyalty, were closely examined. The FBI noted that Mr. Kessler had

²⁷⁴ “FBI Report: Eric Heinrich Kessler 5-20-43,” folder 146-13-2-48-1584, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 1.

²⁷⁵ Ibid.

²⁷⁶ Ibid., 3.

²⁷⁷ Ibid.

²⁷⁸ Ibid., 2.

multiple family members, notably his mother and sister, still living in Germany and had a brother-in-law and three cousins serving in the German Army.²⁷⁹ Furthermore, upon investigation of his home, Mr. Kessler was found to be in possession of pro-Nazi literature, including copies of Hitler's speeches, pamphlets printed in Germany, and a book titled "Mit Hitler in die Nacht."²⁸⁰ That Mr. Kessler held on to these materials, especially the book and speeches promoting Nazism, in the midst of the war does seem to suggest some affinity for the Nazi ideology.

Beyond these questionable, though minor, pieces of evidence, the FBI seemed most concerned with the issue of whether Mr. Kessler was willing to serve in the United States military against Germany, a common, and deeply problematic litmus test used to determine immigrants' loyalties. Mr. Kessler had apparently been denied his petition for naturalization because of his supposed "lack of willingness to take an unqualified oath of allegiance."²⁸¹ The deficiency of his oath apparently stemmed from a sworn statement made before the naturalization examiner in which Mr. Kessler declared:

In view of the fact that I was born and raised in Germany and that my mother, my sister, and most of my family now live in Germany, I would not be willing to go with an Army into Germany and their fight against the German People." However, despite this statement, the FBI discovered that "witnesses at this proceeding state subject actually expressed a willingness to fight against Germany and even to bomb his home town if necessary; but was asked 'if you were in the Army and invaded your home town and your mother and sister were resisting the American forces, would you be willing to shoot them?', to which subject stated he would not."²⁸²

²⁷⁹ Ibid., 1.

²⁸⁰ Ibid., 2.

²⁸¹ "FBI Report: Eric Heinrich Kessler 10-28-43," folder 146-13-2-48-1528, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 3.

²⁸² Ibid., 1.

Such a question penetrates to the core of the contradictions surrounding enemy aliens and to the intense anxiety among the American public concerning the split allegiances of hyphenated Americans. While an affirmative answer would confirm loyalty to the United States and the complete severance of any bond with one's homeland, it would also be obviously immoral. That such a question could be posed, even to a potentially dangerous enemy alien, is simply unconscionable. But as the entirety of the enemy alien program trespassed on constitutional rights, it should not necessarily be surprising that the answer to such a question would be used as reasonable evidence in an investigation. It not only placed Mr. Kessler in an impossible position, but also demonstrates how the entirety of the enemy alien program trespassed on the rights of individuals.

One of the witnesses for Mr. Kessler's naturalization, Walter B. Stanley, attempted to counteract the damage done by this line of questioning. Mr. Stanley believed that:

[Mr. Kessler] would make a good American citizen inasmuch as he has never seen or heard any indication to the contrary. He was aware of the fact that the subject attended Camp Nordland on several occasions and also that he had a cabin at Camp Bergwald, but he feels that the subject was not aware of the fact that there was anything wrong with either of these camps. He added that he felt sure that the subject will be willing to fight against Germany on German soil because of the fact that when he was questioned regarding this at the office of the Immigration and Naturalization Service, he there stated that he was willing to fight against Germany and would be even willing to bomb his home town if those were his orders. However, when questioned whether or not he would be willing to go with an Army into Germany and there shoot his mother and sister if they were resisting the American forces, the subject said he would not and then the sword affidavit was drawn up which the subject signed and in which he stated he would not be willing to fight against Germany.²⁸³

In his own defense, Mr. Kessler claimed that:

²⁸³ Ibid., 4.

Prior to Pearl Harbor, he wanted to see Germany win the War, but now wants the United States to be victorious. [He] is buying War Bonds to the extent of one dollar a week. He does not feel that the German Minority are being persecuted in this Country. He prefers the Constitutional form of government to dictatorship. If interned, he would not want to be repatriated to Germany.”²⁸⁴

His wife related that “she plans to remain in this country so that she can bring up her daughter here and send her to the American schools.”²⁸⁵ As in other cases, the articulated desire to raise children in the United States, to plan a future in America and contribute to future American generations, was favorably received by government officials and went a long way toward negating other unfavorable factors.

Neighborhood and employment investigations requested in July 1943 reflected and reinforced this image of Mr. Kessler as a proper American, despite his engagement with the German-American community. A landlord in whose house Mr. Kessler and his family lived for eleven years considered him to be a “very diligent man” who “worked long hours.”²⁸⁶ P.J. Watson, manager of the Newark Buick Company, where Mr. Kessler was employed for four years, “had never heard the subject make any remarks which would indicate he was not loyal to the United States, and said that he was an exceptionally good workman and he would be glad to rehire him at any time.”²⁸⁷ Similarly, R.W. Hollister, service manager of the Newark Buick Company, stated that the subject’s “conduct was above reproach at all times and that nothing had ever occurred while he was working there which would cause him to question his loyalty to any degree.”²⁸⁸

²⁸⁴ “Kessler 5-20-43,” 3.

²⁸⁵ Ibid., 4.

²⁸⁶ “Kessler 10-28-43,” 2, 1.

²⁸⁷ Ibid., 3.

²⁸⁸ Ibid.

The one slightly suspicious piece of evidence that emerged from the neighborhood and employment investigations was a comment from Frank Beyerie, who had lived across the street from the Kesslers for two years. Mr. Beyerie confided that he had “never noticed anything of a suspicious nature other than the fact that... the subject had a party at his home celebrating the christening of their new baby, at which time several German songs were sung. However, Mr. Beyerie stated he did not understand German and, therefore, had no idea as to the contents of the songs.”²⁸⁹ As it is difficult to explain how the festivities at a child’s christening could be construed as potentially seditious, this comment seems to reflect anxiety about the use of the German language, and consequently a generalized xenophobic attitude that deems anything foreign, even songs at a christening, as inherently suspicious.

The rest of the neighbors consulted in the investigation did not know of any possibly subversive activities and beliefs and had not spoken with Mr. Kessler about the war or Germany. Following a “favorable” neighborhood and employment investigation, by June 1944, the case was closed after consultation between a United States Attorney and Edward J. Ennis, the Director of the Alien Enemy Control Unit.²⁹⁰

The Mullers were investigated after the FBI received information from a coworker of Mr. Muller who claimed that he was “definitely pro-Nazi to the extent of a fanatic,” that he had repeatedly criticized the government and the president, and that

²⁸⁹ Ibid., 2.

²⁹⁰ “Thorn Lord, United States Attorney, to Edward J. Ennis, Director, Alien Enemy Control Unit, Re: Enrich Heinrich Kessler, June 5, 1944,” folder 146-13-2-48-1584, Enemy Alien Case Files, Box 373, RG 60, NACP.; “FBI Report: Erich Heinrich Kessler June 10, 1944,” folder 146-13-2-48-1584, Enemy Alien Case Files, Box 373, RG 60, NACP.

“he had seen the subject with tickets to Camp Nordland in his possession.”²⁹¹ The ensuing employment and neighborhood investigation resulted in a similarly dubious characterization of Mr. Muller. Mr. J.S. McCoy, manager at the hosiery company where Mr. Muller was employed, “stated at this time that several German aliens of questionable patriotism had worked for him from time to time,” naming Rudolph Muller as one.²⁹² Similarly, Mr. Peter J. Kilegian, a neighbor who had resided in the same neighborhood as the Mullers for approximately four years, described Mr. Muller “as being a very smooth person and stated that he would not be surprised to find out that the subject was very pro-German.”²⁹³ While Mr. Muller admitted to attending Camp Nordland once, he insisted he and his wife visited out of curiosity alone, spending only a few hours there and then promptly leaving. He claimed that he wanted the United States to win in the war, that even prior to Pearl Harbor he had wanted England to win, and that he was willing to fight for the United States on German soil, although he “wouldn’t like to.”²⁹⁴ Furthermore, “Rudolf stated in evidence of his patriotism that he had purchased \$1,000 worth of war bonds.”²⁹⁵ Notably, Mr. Muller became a naturalized citizen in 1937, perhaps protecting him from more stringent investigation into his sympathies and activities.

However, what attracted most attention from the investigating agents, was the attitude and behavior of Mrs. Muller throughout her interview. Although she denied affiliation with any German organization, had not purchased any Ruckwanderer

²⁹¹ “FBI Report: Gerhard Rudolf Muller, Louise Muller, 5-6-43,” folder 146-13-2-48-1610, Enemy Alien Case Files, Box 373, RG 60, SACP, p. 2.

²⁹² *Ibid.*, 3.

²⁹³ *Ibid.*, 3-4.

²⁹⁴ *Ibid.*, 11.

²⁹⁵ *Ibid.*, 12.

marks, was not the recipient of any propaganda, and insisted she intended to remain in the United States and wanted the United States to win the war, the investigating agents still seemed to find her relatively suspect, based entirely on her conduct rather than any substantial concrete evidence. As the reporting agents made clear:

It should be noted that throughout the entire interview with subject Louise Muller, she maintained an uncooperative and somewhat facetious attitude, although she was warned on several occasions of the seriousness of her position. She was questioned as to her opinion of Hitler and she responded, "I do not know Hitler, so I really can't say what I think of him." She was informed that many millions of people did not know him, but that they had all formed an opinion of him. She then responded, "he is a very mad man, that is what you wanted me to say, isn't it?" She was then questioned closely along this line and she later stated that she believed Hitler had done some good things for Germany, in regard to the internal improvement of the country but that he had been wrong to invade other European countries. She stated that she believed in racial equality, but was evasive when asked if she considered the democratic form of government the best. Subject Louise either evaded or gave unintelligible answers to many questions stating that she knew little about war or politics and that she very seldom listened to radio programs, read newspapers, and magazines."²⁹⁶

This extensive description of Mrs. Muller's behavior during her interview is indicative of the primacy granted by the FBI to subjects' conduct throughout investigations, particularly during interviews. As with the type of evidence extracted and highlighted from neighborhood and employment investigations, this comment is explicitly a character evaluation based entirely on subjective perception and personal opinion.

²⁹⁶ Ibid., 9.

Fascist or Father?: Mr. Hermann Klaus Koch

Charged with being a member of the NSDAP, Mr. Koch was granted two hearings before an Enemy Alien Hearing Board. After the first hearing, which occurred in November 1943, the board recommended Mr. Koch be interned. However, after a second hearing in April 1944, the board changed its recommendation to parole.²⁹⁷ This change in recommendation reflected contrasting characterizations of Mr. Koch that emerged from each hearing, with the tension between dangerous foreignness and accessible familiarity defining the difference in characterizations.

Information that Mr. Koch might be affiliated with some subversive German organization first reached the government in 1943. According to a Mrs. Campbell who was “an acquaintance” of Mr. Koch’s wife’s sister, Mr. Koch “became very active in the Bund” following his return from a trip to Germany.²⁹⁸ This lead provided by Mrs. Campbell sparked an investigation of Mr. Koch conducted in May 1943. According to Mrs. Campbell, “his wife wanted to take out citizenship papers but Koch refused to do so and forbade her to do so.”²⁹⁹ However, in an interview with FBI agents during the May 1943 investigation, Mr. Koch “advised that he intended to become a citizen of this country and remain here; that he is in favor of the Allies winning the war, and that prior to this country’s entry into the war, he was in

²⁹⁷ “Memorandum for the Chief of the Review Section, Herman Klaus Koch, July 20, 1944,” folder 146-13-2-48-1582, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 1.

²⁹⁸ Ibid., 2.

²⁹⁹ Ibid.

favor of England over Germany.”³⁰⁰ Moreover, he “stated that he had never belonged to any organizations in this country nor in Germany, and that he had never engaged in any subversive activities.”³⁰¹ Though this statement was ultimately proven false and contradicted by Mr. Koch himself, the information provided by Mrs. Campbell also proved to be inaccurate, exemplifying the potential for erroneous, and deceitful, subject and informant testimonies.

The initial investigation did not prompt the government to take any action against Mr. Koch. However, when the government received information in November 1943 that Mr. Koch’s name was on a list of NSDAP members, he “was questioned by the United States Attorney, at which time he admitted that he joined the German Labor Front while in Germany in 1936 but did not pay dues after he came back to America. He also said he joined the German Citizen’s Club of New York after the Consul asked him to join. He denied membership in the NSDAP.”³⁰² Although he explicitly denied being a member of the Nazi Party, Mr. Koch’s involvement with other German associations seems to have raised at least a minimal level of suspicion. Thus, following this interrogation, Mr. Koch was placed on interim parole until further investigation. Then, later that same month, the FBI interviewed Mr. Koch:

[he] made a statement contradicting practically everything he had said at the first interview. He admitted that almost everything he said was false and admitted everything about his membership in the Party. He admitted going to the German Consulate in 1940 and having his alien registration form filled out, and admitted that it contained what he knew to be false statements as to

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² Ibid.

his membership. On the basis of this information, subject was detained at Ellis Island.³⁰³

In this second interview, Mr. Koch recounted becoming a member of the Nazi Party, having his alien registration form fraudulently filled out by a German consulate worker, and his moment of apparent disillusionment with the Nazi Party. Encouraged by his neighbor, a fellow German, Mr. Koch stated that he went to the German Consulate to join the NSDAP, which he claimed to believe was primarily a social organization.³⁰⁴ At the consulate, he “presented his passport to prove he was a German citizen, filled out an application form which he signed, and was then told by the man he was talking to that he was then a member of the National Socialist German Workers Party; that he paid an initiation fee of \$12.”³⁰⁵ In December 1940, “he received a letter from the German Consul in response to which he went to the Consulate with his alien registration form; that some woman there typed the answers for him in the form, and although he was not a member of the German Citizens Society she typed that in.”³⁰⁶ After this incident, he claimed to have “destroyed his membership card in October 1941 by burning it, and at the time he destroyed the membership book he wrote to the German Consul in New York City telling him he was quitting the Party because of the instructions with regard to the alien registration form.”³⁰⁷

Apparently in an attempt to comply with enemy alien regulations, Mr. Koch endeavored to separate himself from the Nazi Party and the German government

³⁰³ Ibid.

³⁰⁴ Ibid., 4.

³⁰⁵ Ibid., 3.

³⁰⁶ Ibid., 4.

³⁰⁷ Ibid.

when he realized they were interfering with his official interactions with the American government. As to why Mr. Koch had previously withheld this information, “he said he omitted mentioning the NSDAP in the alien registration in 1942 because he considered he was not a member any longer. He further said that the reason he did not tell the truth at first was that he was trying to protect his wife and children.”³⁰⁸

After being detained at Ellis Island following this interview, Mr. Koch was afforded the first of two hearings in front of an Enemy Alien Hearing Board on November 26, 1943.³⁰⁹ After establishing that Mr. Koch had undoubtedly been a member of the Nazi Party, whether knowingly or willingly or not, the board recommended that he be interned:

on the basis of subject’s Nazi Party membership from 1939 to 1941, payment of membership dues, and attendance at Party functions. The United States Attorney concurred in the recommendation of internment, stating that he was of the opinion that at the time subject joined the NSDAP he knew it was the official party of the German government, and that his explanation that he joined the party for social purposes did not carry much weight.³¹⁰

In this ruling, with which the consulting U.S. Attorney concurred, the most illicit aspect of Mr. Koch’s case was that he was a member of the Nazi Party and, it was assumed, had lied about believing it was only a social organization. That he supposedly knew that he was involved in an organization affiliated with a foreign government, a foreign enemy nation, seems to be the specific detail that most directly determined his culpability.

³⁰⁸ Ibid.

³⁰⁹ Ibid.

³¹⁰ Ibid.

However, the Enemy Alien Control Unit did not seem satisfied with either these proceedings or the outcome, and it “was requested by this Unit to hold a supplemental hearing that more information concerning subject’s membership in the Nazi Party could be developed.”³¹¹ This second hearing took place on April 26, 1944 and, at least according to the volume of available documentation, seems to have included a more in-depth exploration of both Mr. Koch’s activities and his character. At this hearing, Mr. Koch “appeared highly distressed at his predicament.” He “claim[ed] his membership in the NSDAP was a mistake and would not have taken place if he had fully realized the significance of it.” In addition, “he expressed complete willingness to fight Germany anywhere at any time, and said, ‘I never said I wouldn’t.’”³¹²

In its own report on the hearing, the Hearing Board explicated that:

In spite of the fact that the record shows, and the admission of the subject corroborates his membership in the NSDAP for some time prior to war, the Board believes that the subject joined this organization without a full understanding of its purposes, and without any intention of being disloyal. He admits that he was advised by a person connected with the German Consulate to falsify his answer on the Alien Enemy Questionnaire concerning membership in a foreign organization. He states, however, that that advice caused him to be suspicious of the organization’s purposes, and immediately thereafter he wrote to the German Consul asking that his name be dropped from their list.³¹³

This more sympathetic analysis of Mr. Koch’s actions likely reflects an alternative image of Mr. Koch that was developed in the second hearing. Rather than being presented as inextricably foreign, Mr. Koch impressed the board with the familiarity and commonality of his family life, something that apparently seemed irreconcilable

³¹¹ Ibid.

³¹² Ibid.

³¹³ Ibid., 5.

with the life of a true Nazi. This characterization of Mr. Koch as a respectable family man developed in his second hearing, and it seems to have had a considerable impact on the Board members. This image was largely developed through the figure and the testimony of Mr. Koch's wife, who "appeared and impressed the Board with her loyalty and sincerity."³¹⁴

The Board was impressed with her statement to the effect that she and her husband deliberately and consciously left Germany and their respective families when she was four months pregnant for the sole purpose of having their child born in the United States. Two witnesses appeared before the Board and repeated their former testimony that they believed subject to be completely loyal to the United States.³¹⁵

The Hearing Board then "recommended parole," rather than its initial pronouncement of internment.³¹⁶ The Attorney General concurred with this recommendation, and Mr. Koch "entered a plea of guilty on the charge of conspiring with other defendants to defraud the Government by giving false information in the Alien Registration of 1940."³¹⁷ Mr. Koch was then, presumably, sent to prison for six months. The distinction between prison and internment is notable in this case. While both were forms of confinement, his ultimate incarceration was on technical legal grounds, rather than pertaining to any suspected disloyalty or subversion, or even to his status as an enemy alien. On February 2, 1945 the Attorney General ordered the Mr. Koch be placed on parole upon his release from prison.³¹⁸ While it is unclear

³¹⁴ Ibid., 4.

³¹⁵ Ibid., 4-5.

³¹⁶ Ibid., 5.

³¹⁷ Ibid.

³¹⁸ "FBI Report: Herman Klaus Koch 4-16-45," folder 146-13-2-48-1582, Enemy Alien Case Files, Box 373, RG 60, ARCP.

when precisely Mr. Koch was paroled, it is noted in his file that by November 1945 Mr. Koch was relieved of his parole status as well.³¹⁹

Thus, though an acknowledged member of the Nazi Party at one time, Mr. Koch presumably returned to his relatively normal life without actually being treated as a dangerous enemy alien. The reduction of this threat potential seems to largely be attributed to the portrayal of Mr. Koch as a family man, a depiction that seems to have resonated with the Hearing Board. In the conclusion of its report on the case, the Enemy Alien Control Unit expressed the significance it granted to this aspect of Mr. Koch's character, arguing:

Although subject is a full member of the Nazi Party, there is no indication that he has spread pro-Nazi propaganda or that he has openly expressed pro-Nazi sympathies. He has a wife and three small children in this country and claims present loyalty. Under those circumstances, it is concluded that the recommendation of the Hearing Board should be followed and that subject's parole after the completion of his prison sentence will adequately protect the internal security of the United States.³²⁰

Even the language and phrasing of this justification—"under those circumstances," with 'those circumstances' directly implying his 'loyal' and 'sincere' wife and young, American-born, children—points to the primacy granted this body of evidence in the case. The impact of this characterization parallels the repeated representation in the opening case file of Mrs. Whiteman as either a Nazi or a good mother and evokes a broader strand of public opinion that was unable to uniformly classify German immigrants. These dual images, in this sense, represent more than just ambiguity or confusion about the loyalty of Germans in America. Rather, more fundamentally, these dual portrayals point to some cognitive need on the part of Americans to come

³¹⁹ Status Report, "Department of Justice Immigration and Naturalization Service, Harman Klau Koch," folder 146-13-2-48-1582, Enemy Alien Case Files, Box 373, RG 60, ARCP.

³²⁰ "Memo for the Chief of the Review Section," 5.

to terms with these enemy aliens. The reversal in decision made by the Hearing Board, from outright internment to parole, is perhaps a manifestation of an impulse to correct, or diminish, this newfound foreignness of the German aliens who had been living among Americans for so long. By emphasizing a benign, respectable quality, that of parenthood, these informants and Hearing Boards seem to have found a way to reconcile, if not erase, the newly foreign and threatening depictions of German aliens with pre-existing, familiar conceptions.

Thus, while the designation of Germany as an enemy state served to recast the well-assimilated German American community as newly threatening and foreign, ultimately their minimal degree of foreignness was not wholly overpowered by the very real strategic threat posed by the German state. Rather, German immigrants, even professed members of the Nazi Party, were largely able to retain some semblance of their Americanized pre-war image. While anti-German hysteria certainly existed, and German immigrants were certainly investigated, detained, paroled, and interned, an individual's position on the spectrum of foreignness was not predetermined. Rather, the ability of the American public to conceive of dual characterizations of German immigrants allowed for an immigrant's personal degree of foreignness to oscillate between familiar and foreign.

A Refugee as a Foil: Mr. Hugh Block

Finally, the case of Mr. Hugh Block serves as a foil for the German enemy alien subjects in the preceding cases. In direct contrast to individuals who were suspected of being sympathetic to the Nazi cause, Mr. Block stands out as an

individual who logically should have been assumed to be adamantly opposed to the Third Reich. As a German Jew, who had personally experienced persecution at the hands of the Nazi regime, Mr. Block does not seem like a likely candidate for an enemy alien investigation. However, as a result of behaviors that classified him as ‘potentially dangerous,’ his refugee status was questioned and he was investigated following the same precedents applied to other German immigrants.

In reconstructing his personal history, the FBI compiled information on Mr. Block that made him appear suspicious according to the relative standards used by the FBI in enemy alien investigations, and, by those same standards, simultaneously ineligible for such an investigation. Mr. Block had served in the German army for three years in World War I, an experience that, according to the categories employed by the FBI, would have been a cause for further investigation. Mr. Block then left Germany in 1931 because, as later investigations revealed, he was fleeing from the persecution that would have almost inevitably found him had he remained.³²¹

It would seem logical that this fact alone would be enough to negate other possibly suspicious pieces of evidence and charges against him, given that as a refugee from Germany it was highly improbable that his linkage to his home country could be construed as a threat. However, it seems the FBI was reluctant to accept, or simply dubious about, his status as a refugee. This incredulousness was apparently fueled by the fact that some of his activities fell directly into the delineated categories used by the FBI to assess threat levels and foreignness. Upon his departure from Germany, Mr. Block moved to Paris and began working as a self-employed

³²¹ “FBI Report: Hugh Block 1-5-44,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

photographer. Photography, either as a hobby or as employment, was one of the activities that explicitly denoted suspicion and warranted inquiry.³²²

Once the war broke out in France, Mr. Block “volunteered for the French Army but before he was accepted France had fallen and he had been placed in a concentration camp along with many other people having Jewish blood.”³²³ Interned in 1939, he was released in 1941 through the efforts of the Hebrew Relief Agency and arrived in the United States in June of that year. Mr. Block’s internment would seemingly serve as substantial proof that Mr. Block’s German nationality was not a danger to American security. However, in January 1944 Mr. Block was nonetheless subject to an enemy alien investigation. He had been employed at Bard College in New York since August 1943, teaching German to military personnel. This particular job seems to have been what prompted, or at least justified the investigation. Prior to this position at Bard College, Mr. Block had worked for the Museum of Modern Art as a “political analyst, reviewing films.”³²⁴ In this capacity, he was transferred to Washington, “where he was stationed in the War Department.”³²⁵ This proximity to military and defense efforts served to categorize Mr. Block as worthy of investigation, despite evidence to the contrary.

When interviewed as part of the initial investigation into his sympathies and activities, Mr. Block said:

that at no time had he ever expressed any sentiments for Germany; that he was entirely out of sympathy with the German philosophies, having been raised under a monarchist form of government and he had absolutely no sympathy for the present regime and if called upon would be more than willing to take

³²² Ibid.

³²³ Ibid., 2.

³²⁴ Ibid., 3.

³²⁵ Ibid.

up arms in defense of this country and would fight any place. He stated that he had endeavored to secure a position with the Office of Strategic Services but in some manner or another had been, what he called, “black listed” and was very desirous of having any blemish on his record removed and stated that he would do anything or contact anybody in order to accomplish this.³²⁶

Notably, when the FBI examined his travelling permits and alien enemy identification, “which were all in order,” his identification certificate reflected that although he had been born in Germany, he was at the time of the registration considered “stateless,” seemingly a confirmation of his refugee status.³²⁷

In response to Mr. Block’s apparent concern over his situation, the FBI “explained to subject that this was a mere routine check-up of alien enemies and was in no way a reflection upon his record while in this country.”³²⁸ While the investigation may have been routine, not every enemy alien, German immigrant, or refugee, was investigated over the course of the war; there still had to be some reason, no matter how subjective or arbitrary, to initiate an investigation. It seems that Mr. Block’s proximity to the military, his retention of the German language, even in a professional capacity, and his interest in photography, reinforced an image of Mr. Block’s threatening foreignness and were enough to warrant an investigation, despite his claim of refugee status.

Consistent with the precedent of employment investigations, Dr. C. H. Grey, Dean of Bard College, was interviewed regarding Mr. Block’s record and his impressions of the subject. In addition to confirming the story of his departure from Germany, internment in France, and arrival in the United States, Dr. Grey “advised that... the United States Army sent approximately 300 men to Bard College, there to

³²⁶ Ibid.

³²⁷ Ibid., 2.

³²⁸ Ibid., 3.

be taught various languages and political philosophies.”³²⁹ In reference to Mr. Block’s character and abilities, “Dr. Grey said that in the short time the subject had been there he had shown himself to be a good instructor, but was not too well liked by the other members of the faculty, not because of anything un-American but because of his personal conduct and the noise that he made in his apartment after hours.”³³⁰ Additionally, “Dr. Grey stated that in his conversations with the subject he had gathered that Block was anti-Nazi and was inclined to be liberal in his views. He said he had not had sufficient personal contact with Block to definitely judge just what his present philosophies might be but said that he did not believe the subject was un-American in any way.”³³¹

In addition to Dr. Grey, a number of individuals who “knew him in Paris and were with him in the concentration camp in France” and had subsequently immigrated to the United States were also interviewed with the intent of definitively establishing Mr. Block’s refugee status.³³² The use of these fellow refugees as informants makes clear that the intent of the investigation was to determine whether Mr. Block was really a refugee, or perhaps more subtly, whether he was worthy of refugee status. All of these informants confirmed that Mr. Block had left Germany to escape persecution as a Jew.³³³ Mrs. Henrietta Breslau, who “advised that she herself was a refugee,” stated that Mr. Block was “unquestionably a person of Jewish blood who had been an artist in Germany but had taken up the trade of Photography in Paris

³²⁹ Ibid., 1.

³³⁰ Ibid., 2.

³³¹ Ibid.

³³² Ibid., 3.

³³³ “FBI Report: Hugh Block 3-9-44,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 3,4.

before coming to the United States.”³³⁴ Mrs. Breslau was “similarly convinced that subject is sympathetic with the cause of the United States and her Allies and that he is violently opposed to Germany and her allies.”³³⁵ Mr. Breslau, Henrietta’s husband, confirmed his wife’s testimony and further added that “he was convinced that Block was a bonafide refugee who hated the Germans because of the persecutions which they inflicted on him and members of his race.”³³⁶ Mr. Catel, who was interned with Mr. Block in France, supplemented this point, stating that, “he was convinced that Block was attached to the Democratic principles of government and had a deep hatred for Germany and the government of Adolf Hitler.”³³⁷

As a result of these testimonies, an Assistant U.S. Attorney declined to prosecute Mr. Block.³³⁸ The fact that Mr. Block was investigated in the first place, however, validates the claim that impressions of foreignness, regardless of underlying logic or explanatory rationale, were the main impetus for both initiating investigations and determining their outcomes.

³³⁴ Ibid., 1.

³³⁵ Ibid.

³³⁶ Ibid., 3.

³³⁷ Ibid.

³³⁸ “FBI Report: Hugh Block 6-7-44,” folder 146-13-2-16-294, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

Chapter 5: Italian Enemy Alien Case Files

Introduction

Although Italian immigrants were subject to the same selective surveillance as German immigrants, governmental treatment of Italian Americans was ultimately more restrained. Throughout the entire period, Italian immigrants were considered a less serious security threat than their German counterparts, despite being perceived as distinctly more foreign, or possessing a higher degree of foreignness. While the Italian American population was generally less assimilated and Americanized, largely due to the fact that they constituted the largest nationality of new wave immigrants, their connections with Italian fascism were deemed less dangerous because fascist Italy itself was proving to be an increasingly insignificant combatant in the war. As Italy's status as a foreign enemy nation diminished, both the American public and government became progressively convinced of the Italian American community's loyalty to the United States.³³⁹ Even President Roosevelt fully accepted this threat reduction, referring to Italian Americans as "a lot of opera singers."³⁴⁰

Accordingly, in the fall of 1942 President Roosevelt authorized the declassification of Italian Americans from enemy alien status. On Columbus Day, October 12, 1942, Attorney General Francis Biddle announced that Italian immigrants would no longer be classified as enemy aliens and no longer had to comply with enemy alien regulations. Within a week, they also were no longer required to have an

³³⁹ Schmitz, *Enemies Among Us*, 275.

³⁴⁰ Commission on Wartime Relocation, *Personal Justice Denied*, 287.

enemy alien certificate.³⁴¹ With an invasion of Italy anticipated, President Roosevelt considered the declassification of Italian immigrants “a masterly stroke of international statesmanship and good politics.”³⁴² However, Italian Americans who were deemed to be dangerous or disloyal by the Justice Department or the Army could still be apprehended and investigated through enemy alien program procedures. Thus, while the declassification limited the applicability of government policies and regulations to Italian immigrants, it did not fully excuse or exempt them; Italian individuals who were deemed a potential threat were prosecuted and interned throughout the war in accordance with the same procedures that governed the treatment of other enemy aliens. Of the 3,278 Italians who were interned during the war, half of them remained in custody until at least 1944, and some until the summer of 1945.³⁴³

Nonetheless, the declassification of Italian immigrants was a direct result of the acceptance of an increasingly benign image of Italian immigrants, which was directly linked to perceptions of Italy’s role in international affairs, specifically its underwhelming military prowess. While the attitudes and activities of the Italian American community certainly contributed to this declassification, the prevailing acceptance of Italian immigrants’ loyalty was primarily due to wartime developments and the diminished threat posed by Italy, rather than a newfound acceptance of Italianness or a retraction of nativist arguments. Ultimately, despite the high degree of foreignness assigned to Italian immigrants, their position on the spectrum of foreignness was shifted by the threat reduction of the Italian state. Originally

³⁴¹ Schmitz, *Enemies Among Us*, 274.

³⁴² *Ibid.*

³⁴³ *Ibid.*, 275.

positioned between Germany and Japan on the scale of ‘familiar and benign’ to ‘foreign and dangerous,’ after this policy revision Italian immigrants came to occupy a space along the edge of the spectrum, denoting a low threat level while still retaining the same degree of foreignness.

This persistence of Italian immigrants’ assigned degree of foreignness is reflected and emphasized in the following case files. In contrast to the German cases, the investigations in the selected Italian case files repeatedly accentuate the specific immigrant status and migration patterns of the Italian subjects. As participants in new wave immigration patterns, Italian immigrants were, generally, less assimilated and less committed to definitively establishing their livelihoods in the United States. As a whole, the Italian American community exhibited lower rates of naturalization, higher rates of return, and migrants were predominantly male, all of which contributed to a community that was perceived as less assimilated, as evidenced by Americanization campaigns that were carried out in the decades preceding the war. Under investigation, these patterns of Italian migration were less likely than German precedents to result in ‘correct’ or ‘satisfying’ answers, especially in reference to demonstrating their commitment to the United States, such as through the intention to remain permanently in the United States, and establishing familial connections. While these immigration patterns had simply been accepted, and most likely ignored, by the American government and public prior to the war, once these immigrants became enemy aliens their migration and settlement processes suddenly became newly suspicious and threatening, and the basis or justification for investigation and apprehension.

Prior to the reclassification of Italian Americans as non-enemy aliens, Italian Americans were investigated and apprehended under enemy alien regulations. Many of the early cases included in this sample adhere to a common pattern, in which individuals were apprehended for the possession of contraband items following spot searches of their premises, which were presumably initiated as a precaution against registered enemy aliens. In the majority of these cases, subjects were not accused of any specific charge besides violating restrictions on contraband items. Following the discovery of these items, subjects were commonly taken into custody, transferred to an Immigration and Naturalization Service facility for fingerprinting and questioning, and then released on the same day. In the cases included in this sample, most of which occurred in either New York or New Jersey, individuals were taken to Ellis Island before being released. Given that typical Italian migration precedents were often used as evidence against Italian enemy aliens, the ironic symbolism of Ellis Island as the location of their temporary detainment is especially poignant.

Exemplifying this pattern, in the spring of 1942 Emilio De Peo, Luigi Mancini, and Giovanni Amendola were all found in possession of contraband items, brought to Ellis Island, and then released within a day.³⁴⁴ Saverio De Vito's case also follows this common pattern. Mr. De Vito was apprehended on the grounds of possession of a short-wave radio, although by the time it was seized it was no longer functioning. Mr. De Vito claimed he was willing to serve in the United States Army and professed that he had not taken out his citizenship papers because he was

³⁴⁴ "Memorandum for Alien Enemy Information Bureau, Re: Change of Status of Detained Enemy Alien, Luigi or Luis Mancini, 3-31-42," folder 146-13-2-51-1346, Enemy Alien Case Files, Box 417, RG 60, NACP; "FBI Report: Emilio De Peo 5-22-42," folder 146-13-2-51-1349, Enemy Alien Case Files, Box 417, RG 60, NACP; "FBI Report: Giovanni Amendola 5-15-42," folder 146-13-2-51-1349, Enemy Alien Case Files, Box 417, RG 60, NACP.

illiterate.³⁴⁵ After being taken into custody he was promptly released. Curiously, however, the government did not seem fully confident in this judgment. The reporting official recorded that Mr. De Vito was “released directly from this office on grounds that he was not imminently dangerous to the National Security, although he is deemed a proper subject for hearing before an Alien Enemy Hearing Board.”³⁴⁶ The case file, a relatively brief one, does not provide any more information as to the meaning or significance of this statement, but this contradiction is certainly compelling. While it is impossible to know definitively the purpose or meaning behind this comment, a possible conjecture, which would be consistent with the execution of other cases, is that although there was no indication that Mr. De Vito posed a direct security risk, there was still something about him, perhaps an inherent impression of foreignness, that caused the reporting agent to consider further examination within the context of a hearing worthwhile.

Contraband and Custody: Mr. Paul Musachio and Mr. Giulano Cardili

Mr. Musachio was similarly apprehended for the possession of a short wave radio and two cameras. However, the cameras were reportedly the property of his American-born wife and son. The consulting United States Attorney did not approve the issuance of a warrant, as the facts did not justify the arrest of the subject. Despite the minimal severity of the charge, especially as two of the three contraband items

³⁴⁵ Status Report, “In Re Alien Enemy, Saverio De Vito,” folder 146-13-2-51-1357, Enemy Alien Case Files, Box 418, RG 60, NACP.

³⁴⁶ “Mathias A. Correa, United States Attorney, to Edward J. Ennis, Director Alien Enemy Control Unit, re: Saverio De Vito,” folder 146-13-2-51-1357, Enemy Alien Case Files, Box 417, RG 60, NACP.

apparently belonged to citizens, the investigating FBI agent included in the report what he deemed “pertinent information.”³⁴⁷ The report states, “it may be noted that the house in which these people reside is very much run down, and the family appears to be not in the best of financial condition.”³⁴⁸ Apparently, then, an alien enemy’s perceived economic situation was somehow relevant to the evaluation of their loyalties and sympathies.³⁴⁹ In contrast to this observation, the report also indicated that a local police captain was well acquainted with the subject and his wife and advised that, “they had a good reputation in the county.”³⁵⁰ In his own defense, Mr. Musachio stated that he had not taken out his citizenship papers, because he had very little education. “He stated however that he considered himself such [a citizen] although he had not taken the necessary legal steps to become such.”³⁵¹ This distinction between a sense of allegiance and belonging and the formality of legal citizenship constitutes one of the central tensions exhibited throughout these case files.

Mr. Giulano Cardili was taken into custody following the discovery of two short-wave radios in his possession.³⁵² He was detained at Ellis Island, and then released after an interrogation in which he made clear that he “had not filed his declaration of intention for citizenship. He stated, however, that he did not desire to

³⁴⁷ “FBI Report: Paul Musachio 4-8-42,” folder 146-13-2-51-1350, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1-2.

³⁴⁸ Ibid., 2.

³⁴⁹ Jacobson’s analysis supports this point. He writes that “pockets of poverty in the modern industrial city are explained, not by the ravages of capitalism, but by the innate racial character of their inhabitants.” Jacobson, *Barbarian Virtues*, 127.

³⁵⁰ “Musachio 4-8-42,” 2.

³⁵¹ Ibid.

³⁵² “FBI Report: Giulano John Cardil 4-6-42,” folder 146-13-2-51-1356, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

return to Italy but it was his intention to become a citizen as soon as possible.”³⁵³ As with the German immigrants, citizenship status was a standard area of inquiry in the Italian case files. What differs, however, between German and Italian immigrants is the fact that, in general, German waves of migration occurred decades earlier than the mass Italian migration. While aliens under investigation were still all aliens, citizenship, whether through birth or naturalization, was certainly more common in the more established and assimilated German American community than within the Italian American community. Consequently, it would be more likely for German immigrants to have family members who were citizens, which generally reflected positively on the subject and perhaps would have provided an example or precedent for the pursuit of citizenship. Throughout the case files, there is no recognition of this difference in immigration patterns, which results in Italian immigrants often being apprehended, or at least suspected, on the basis of common features of a more recent migration process.

For individuals who had not yet begun naturalization proceedings, an expressed intention to become a citizen rather than return to Italy was considered the ‘correct’ answer. As evidenced in forthcoming cases, even the contemplation of returning to Italy for more than a visit was considered suspect. While devised as a measure to gauge an individual’s commitment to their future in the United States, and implicitly the direction of their sympathies and loyalties, this criteria demonstrates an ignorance of the realities of immigration patterns during the period. For immigrants who migrated for economic motives, returning to their country after a period of employment in the United States was relatively typical. Italian immigrants,

³⁵³ Ibid., 2.

especially, were known for their high rates of return to Italy. Ultimately, these investigations were characterized by a persistent and systemic lack of acknowledgment that, firstly, returning to their country of origin was not atypical for immigrants, and that secondly, the decision to return to Italy was, for the majority of Italian immigrants, primarily motivated by their personal and familial economic needs, rather than by any blatant lack of commitment, let alone calculated disloyalty, to the United States.

Drunks and Fighters: Mr. Rocco Pellicano

Mr. Pellicano was first investigated by the FBI in September 1942, one month before the reclassification of Italian Americans, for the possession of a rifle, in violation of the enemy alien regulations that at that time still applied to him. However, “inasmuch as preliminary investigation had failed to reveal any un-American activity,” the case was closed and action not taken against Mr. Pellicano.³⁵⁴ A few months later in February 1943, the FBI received a complaint from an American citizen claiming Mr. Pellicano was pro-Fascist and anti-American and promptly began to investigate Mr. Pellicano predicated on this new accusation. Although he was no longer technically an enemy alien, the perceived severity of this charge warranted reopening the investigation.

The allegation against Mr. Pellicano came from Mr. W.E. Potter, who informed the FBI that Mr. Pellicano was living in his mother’s home and that he had

³⁵⁴ “FBI Report: Rocco Pellicano 9-8-42,” folder 146-13-2-16-282, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

“made some remarks against the Government of the United States.”³⁵⁵ When interviewed, the accuser’s mother, Mrs. May E. Potter, clarified that Mr. Pellicano did not live in her home, but resided and owned a shoe shop in the neighborhood.³⁵⁶ Mrs. Potter explained that:

her son had formerly run around with the subject to some extent and that on one occasion the subject got very drunk and became involved in a brawl with her son and later threatened to kill him at the earliest opportunity. Mrs. Potter stated that at the time this occurred the subject was alleged to have sworn against the United States and stated that he would like to go to Italy and fight against the United States. She advised that this caused further arguments between the subject and her son, however, she stated that it might be that her son was prompted to report instant matter because of the altercation with the subject.³⁵⁷

While Mrs. Potter’s account discredits her son’s accusations, the characterization she provides of Mr. Pellicano plays into the existing stereotypes surrounding Italian immigrants.

Meanwhile, the pairing of these two testimonies provides one example of how the enemy alien problem was used as an outlet not only for personal prejudices and biases, but also for private grudges and motives. That a personal vendetta could become the basis for a federal investigation is not surprising nor unprecedented within the larger context of nativist outbursts and governmental inquiries into un-Americanism, as well as in civil criminal proceedings; yet, Mr. Potter’s emotionally fueled accusation against Mr. Pellicano is yet another example of the lack of standardization in these investigations. With the counter argument from Mrs. Potter, this relatively insignificant interaction illuminates the subjective and arbitrary nature

³⁵⁵ “FBI Report: Rocco Pellicano 2-23-43,” folder 146-13-2-16-282, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

³⁵⁶ *Ibid.*, 2.

³⁵⁷ *Ibid.*

of the basis and evidence of many cases, and raises the possibility that other cases that seem to be based on rational allegations could in fact have been driven by more emotional and biased motives.

Following these statements, the FBI directly interrogated Mr. Pellicano:

Subject Pellicano was interviewed at his shoe shop under pretext and he advised that he had come to this country thirty-one years ago and he has no relatives now in Italy. He advised that he has never returned to Italy and that he would not fight in the last war, apparently coming to the United States to avoid Service. He stated that he has filed his first papers several times, but does not have his second papers because he cannot spell good enough. He stated that he had gone to school several times for this purpose, but that he had never improved. He advised that he has five children, all of whom were born here and three of which are liable for Service. He stated that they will all go if called and that he himself would be glad to fight for this country if necessary. He stated he married an American citizen and has no ties to Italy. He further stated that Italy had been at war too long.³⁵⁸

Despite these relatively ideal responses, the ensuing neighborhood investigation did not result in as favorable of a representation of Mr. Pellicano. Rather, the investigation led the FBI to conclude that Mr. Pellicano was a heavy drinker and was “disliked in the neighborhood,” but found “no evidence of beliefs or tendencies.”³⁵⁹ Mr. John Wolf, who lived in the neighborhood, related that Mr. Pellicano “spends a great [amount] of his time drinking and generally making himself disagreeable. He advised that he had no reason to believe that the subject was anything other than a good American citizen inasmuch as he had never heard him many any statements to the contrary.”³⁶⁰ While Mr. Pellicano clearly did not have a favorable reputation, his alcoholism seemed to be viewed as an excuse for his other questionable actions. Mrs. Bella Rubin, another neighbor, “advised that because

³⁵⁸ Ibid.

³⁵⁹ Ibid., 1.

³⁶⁰ Ibid., 2.

subject is drunk all of the time, he does not appear to be responsible for what he says. She stated that it is her understanding that he has two sons in the Service and she does not believe that the subject has ever made any statements against the United States government.”³⁶¹ Similarly, Mrs. Paul Quigtar “advised that the subject is never sober and seldom talked to anyone in the neighborhood. She stated, however, that the subject once remarked to her father... that he hoped Italy would win the war. She stated that she believed the subject was drunk at the time.”³⁶²

Following this lead, the FBI then acquired a statement from Mrs. Quigtar’s father, Mr. Fred S. Jones.

[Mr. Jones] Advised he visited his daughter, Mrs. Paul Quigtar, in Washington, D.C., for about one month during August and September of 1942. While on that visit he saw Subject every day and during the early part of September he was discussing the war with Subject in Subject’s shoe shop. Jones said he remarked, “I hope they put a ball through Hitler. How do you feel about it?” Subject then remarked, “I’d like to see Italy win as it is my home country.” Jones said that he did not hear Subject make any other derogatory remarks about the war, the United States or in favor of the Axis. He indicated Subject drank two pints of whiskey daily but on the morning he made the above statement Subject had nothing to drink. He said Subject remarked about the draft, “If this country wants me to fight they know where to find me.”³⁶³

While Mr. Jones testimony was potentially incriminating, the investigating agent noted that “for the information of the office of origin, Fred S. Jones is quite deaf and is seventy-six years old.”³⁶⁴ This is one of the few instances in which the investigating agent comments or offers judgment on the qualifications of an informant. His comment suggests the inference that the quality and veracity of

³⁶¹ Ibid.

³⁶² Ibid.

³⁶³ “FBI Report: Rocco Pellicano 9-7-43,” folder 146-13-2-16-282, Enemy Alien Case Files, Box 218, RG 60, NACP.

³⁶⁴ Ibid.

information provided by informants should not be assumed to be necessarily credible. Ultimately, the government concluded that although Mr. Pellicano was “a chronic drunkard and did apparently at one time say that he would like to see Hitler win the war, as it was his own country,” there was no evidence of any subversive activities, and consequently the case was closed.³⁶⁵

Whether or not this decision was in part influenced by the dubious credibility of some informants, including Mr. Jones and Mr. Potter, is unknown. Regardless, this case demonstrates not only the questionable and problematic sources of information used in these investigations, but also provides an acknowledgment on the part of at least one governmental official that unreliable informants could compromise the credibility and legitimacy of the investigations.

Foreign Military Man: Mr. Ezio Rudolph Scoponi

Although Italian immigrants were no longer classified as enemy aliens, beginning in February 1943, Mr. Rudolph Scoponi was investigated by the FBI when a confidential informant provided information to the effect that Mr. Scoponi was a “former Italian Army officer,” and was “alleged to hate the United States and to be open in his remarks that he prefers Italy to the United States.”³⁶⁶ The informant considered Mr. Scoponi “a dangerous man and definitely Fascist.”³⁶⁷ The perceived danger associated with Mr. Scoponi seemed to be fueled most directly by his

³⁶⁵ “FBI Report: Rocco Pellicano 9-20-43,” folder 146-13-2-16-282, Enemy Alien Case Files, Box 218, RG 60, NACP.

³⁶⁶ “FBI Report: Ezio Rudolph Scoponi 2-2-43,” folder 146-13-2-16-272, Enemy Alien Case Files, Box 218, RG 60, NACP, p. 1.

³⁶⁷ Ibid.

association with the Italian Army, which was reinforced by the fact that he was also a trustee for the Italian World War Veterans Relief Association of Washington, D.C.³⁶⁸

A different confidential informant “advised that in 1940 the Italian Embassy endeavored to have Scoponi return to Italy as a captain but that Scoponi refused stating that he would rather stay here and drive a cab.”³⁶⁹ The informant acknowledged that “Scoponi might be doing a little talking that he shouldn’t have but she consider[ed] him harmless and [did] not believe he [was] engaged in any activities against the United States.”³⁷⁰ Furthermore, Mr. Scoponi had filed a petition for naturalization in 1941, suggesting that his history in the Italian Army did not undermine his allegiance to the United States.³⁷¹

Mr. Paul Caporaletti, who had known Mr. Scoponi for twenty years, informed the FBI that Mr. Scoponi had come to the United States because:

he didn’t like Mussolini and that Scoponi likes this country a lot better. He stated that Scoponi is slow in taking out his citizenship papers but feels he would make a good loyal citizen. He stated that subject lost his license a couple times as a cab driver because of arguments with his passengers but that as a whole he minds his own business. He said that Scoponi has done “some talking” but he is harmless and couldn’t do anymore than talk about things if he wanted to. He considered Scoponi to be very honest and a person who has no respect for Mussolini or his practices.³⁷²

In defending Mr. Scorponi’s loyalty, Mr. Caporaletti evoked his rationale for immigrating to the United States. This type of reasoning and argumentation is markedly underrepresented, if not mostly absent, from enemy alien proceedings.

Although the primary aim of the program was to uncover as much information about

³⁶⁸ Ibid.

³⁶⁹ Ibid., 6.

³⁷⁰ Ibid.

³⁷¹ Ibid., 2.

³⁷² Ibid., 6.

alien enemies as possible, consideration of the fact that as aliens these individuals were also immigrants was systematically ignored. As immigrants, each of these individuals would have had their own personal immigration history; a reason they decided to leave their home, and often family, behind and venture to the United States, finding a way to both afford and survive the journey across the Atlantic Ocean, and the experience of entering a foreign, unknown country and having to establish a new life for themselves. Yet rather than being accepted as normal activity for recent immigrants, these typical patterns of immigrant experiences were often used against these individuals as evidence of a lack of commitment to the United States, and consequently as indicative of traitorous sympathies.

The FBI's employment investigation revealed that while Mr. Scoponi was known to have a "hot temper," a characterization that was consistent with stereotypes about Italians, he was considered a "loyal employee" and had apparently "done no talking at all since the United States had entered the war."³⁷³ The neighborhood investigation disclosed more information on the type of remarks Mr. Scoponi had allegedly made. Mrs. C.R. Lancaster, Mr. Scoponi's landlady for a period of about two years, "said that he had often made remarks against this country. She had once said something about Hitler bombing hospitals and killing little children. She said Scoponi had come right back and said that it was not Hitler's fault that the hospitals were built next to naval establishments. She stated that on occasions when the war was discussed he always took up for Hitler."³⁷⁴ In reference to his character, Mrs. Lancaster considered Mr. Scoponi the "type that was very mean," and noted that he

³⁷³ Ibid., 7.

³⁷⁴ Ibid., 5.

did not associate with many other people, further establishing his character as unfriendly and unfamiliar. In addition, she informed the FBI that Mr. Scoponi had cut war maps out of the newspaper and had “a stack of Italian magazines in his room.”³⁷⁵

According to Mrs. Lancaster’s testimony, Mr. Scoponi was aware of, and worried about, the enemy alien program. Mrs. Lancaster related that, “at the time the United States became involved in the war Scoponi became scared when they started picking up Italian citizens and that he came to her and asked her not to say anything against him. He said that he was afraid that he might be taken to a concentration camp for three or four weeks and that if this happened for her to hold his room for him.”³⁷⁶ Evidently, Mr. Scoponi seemed to anticipate that his foreignness would provoke governmental action, but seemed convinced that his apprehension would only be on a temporary basis.

A subsequent informant, Miss M.M. Ovkeholt, casts some doubt on the testimony offered by Mrs. Lancaster. According to Miss Ovkeholt, “Mrs. Lancaster was a little bit prejudiced against Scoponi.” Nonetheless Miss Ovkerholt maintained that “her statements could be taken as true.”³⁷⁷ Miss Ovkeholt explained that “Mrs. Lancaster had gotten into an argument with Scoponi and he had defended Hitler but that she had often talked with Scoponi and he had never shown any sympathy to any of the Axis countries and she knew of no subversive activity in which he might be engaged.”³⁷⁸ Finally, Miss Ovkeholt noted that “she had always considered him as being German, not Italian... She said she considered Scoponi to be the German type

³⁷⁵ Ibid.

³⁷⁶ Ibid.

³⁷⁷ Ibid., 6.

³⁷⁸ Ibid.

and that he has a German accent,” an observation that tellingly alludes to the interplay between a generalized anxiety about foreignness and a more particularized xenophobia tied to a specific nationality.³⁷⁹ Mr. Scoponi’s case file does not include any further information on what action, if any, the government decided to take against him. However, with an accusation linked to military threat and evidence alluding to his personal immigration history, this case directly evokes the two factors that controlled positioning on the spectrum of foreignness, and thus that formed the basis for aggregated public opinion about Italian immigrants and their treatment during the war.

American Fascism: Mr. Calogero Carollo

As with German immigrants who had possible ties to Nazi organizations, Italian immigrants who were suspected of being complicit in Italian Fascist activities were subjected to investigation, even before the outbreak of the war and continuing after the reclassification of Italian immigrants. Mr. Carollo first came to the FBI’s attention when New York City Mayor LaGuardia informed the FBI that “he had obtained very complete information regarding Italian (Fascist) organizations and activities from a source which he considered reliable.”³⁸⁰ Included in the list of organizations was the ‘Centro Educativo Francesco Crispi,’ with Calogero Carollo listed as its President.³⁸¹ By December 11, 1940, almost precisely a year before the attack on Pearl Harbor, the Office of Naval Intelligence had compiled its own

³⁷⁹ Ibid.

³⁸⁰ “Carollo, Calogero, 429 East 14th Street, New York,” folder 146-13-2-51-1362, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁸¹ Ibid.

confidential file on Mr. Carollo. Along with a list of fascist ‘Educational Centers’ and their respective presidents, this early file also contained a report on the nature of these organizations. The source of this document is unclear, but it appears to be a reproduction of some piece published in a magazine, though what magazine is not specified.³⁸² Written in a rather alarmist tone, the document illuminates many of the anxieties and arguments surrounding the existence of these Italian American organizations, which many of the public assumed to be entirely fascist.

Every one these “Educational Centers,” is a nest of Fascist propagandists. Behind the seemingly proper and innocent activity of “teaching the Italian language” these centers have conducted the boldest form of Fascist propaganda... These centers and associations are breeding spots for Fifth Columnists of the Italian-Fascist type. American authorities have ignored them. Prominent Italo-American politicians have protected them in fear of alienating their “votes.” The overwhelming majority of poor Italian workers caught up in the webs of the Fascist propaganda machine, are American citizens, few by birth, preponderantly by naturalization. The present emergency confronting the American nation calls for a forthright denunciation of these breeding centers of Fascist ideology.³⁸³

Although pre-war investigations were mainly focused on German Americans suspected of being either Nazis or Nazi sympathizers, this document demonstrates the formulation of the perceived fifth column fascist threat in reference to the Italian American community.

As a result, government intelligence continued to monitor Mr. Carollo in the months preceding the outbreak of the war. In May 1941, FBI Director Hoover wrote to the Chief of the Special Defense Unit regarding Mr. Carollo, and suggested that “it is recommended that this individual be considered for custodial detention in the event

³⁸² ‘Unspecified Magazine article about Italian Fascist Organizations,’ folder 146-13-2-51-1362, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁸³ Ibid.

of a national emergency.”³⁸⁴ A year later, in May 1942, with the United States fully and officially engaged in the war, the FBI began to take proactive action against Mr. Carollo, as the known president of an Italian organization, a “suspected Italian propagandist,” and allegedly pro-fascist.³⁸⁵ Upon searching his residence, no contraband items were found, but the FBI did find materials it classified as “propaganda.”³⁸⁶ Among these materials were copies of war maps from newspapers, a copy of a fascist hymn, about which the report notes that “the subject could not explain where he had secured this song and why he had it in his possession,” and a few copies of *Il Grido Della Stirpe*, the publication of the Lictor Association, or the Black Shirt Society.³⁸⁷ In reference to these publications, “the subject told the FBI agents that he was saving these papers because he thought that some day they would be valuable from a historical standpoint.”³⁸⁸ In response to the charge about his involvement with the ‘Education Center,’ Mr. Carollo “contended that he was elected vice-president only because he paid his dues regularly and he performed no duties whatever in connection with that office. He also maintain[ed] that to the best of his knowledge the organization was never engaged in any activities contrary to the principles of the United States.”³⁸⁹

Although he was identified as dangerous enough to warrant apprehension, initial action against Mr. Carollo was temporarily stalled by a lack of information and

³⁸⁴ Memorandum, “Hoover to L.M.C. Smith, May 29, 1941” folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁸⁵ Memorandum, “Lawrence M. C. Smith to Mr. Wendell Berge, re: Carollo Calogero, May 14, 1942,” folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁸⁶ “Memorandum for Chief of Review Section, Oct 18, 1943,” folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 2.

³⁸⁷ *Ibid.*

³⁸⁸ *Ibid.*, 1.

³⁸⁹ *Ibid.*

clarity regarding his citizenship status.³⁹⁰ If Mr. Carollo had in fact been a citizen, he could not have been prosecuted under the auspices of the enemy alien program and would have likely been pursued under the provisions of the Foreign Agents Registration Act.³⁹¹ However, in June 1942, the FBI was confident in his alien status and apprehended him for the first time. In August 1942 he was afforded his first hearing before Southern District of New York Enemy Alien Hearing Board. In this original hearing, the only stated charge against Mr. Carollo was that of being a “dangerous alien.”³⁹² The charge did not specify what was ‘dangerous’ about him. Rather, the Board seemed somewhat preoccupied with Mr. Carollo’s reasons for being in America and his plans for the future. The record of the Hearing recounts that

the subject’s intention always has been to return to Italy and that he has said he will go back after the war is over, if conditions are good. This conclusion was based on the report of the FBI agent which states “when asked whether or not he intended to become an American citizen or whether his intention was to return to Italy, subject was evasive and stated that he hoped to return to Italy after the war and if conditions are bad in Italy, he wants to sell his property and bring his wife and children to the United States. However, he admitted that if conditions in Italy are good after the war, he will probably remain there permanently.”³⁹³

Furthermore, in its report the Southern District of New York Board stated “we do not believe him to be as simple as he tries to make himself out,” suggesting that the board found Mr. Carollo’s justifications for his behavior unsatisfactory, and perhaps driven by ulterior motives.³⁹⁴ The Hearing Board eventually concluded that:

everything connected with the subject indicates that he is in this country for the sole purpose of earning sufficient funds to set himself up in Italy where he will return when conditions are better. There is nothing to indicate that he is

³⁹⁰ Memorandum, “Smith to Berge, re: Calogero, May 14, 1942.”

³⁹¹ Ibid.

³⁹² “Memorandum for Chief of Review Section, Oct 18 1943,” 1.

³⁹³ Ibid., 2.

³⁹⁴ Ibid.

in any way interested in this nation or its future. In view of all the facts mentioned above, it is my conclusion that he would probably be more interested in Italy winning the war than the United States, and for that reason I suggest that the Board's action be followed and that he be interned for the duration of the war.³⁹⁵

Following this hearing, Mr. Corollo was placed under the jurisdiction of the Army and interned at Ft. Meade, Montana.³⁹⁶ By February 1943, Mr. Corollo had been transferred to Camp McAlester in Oklahoma, at which time he submitted an application for a rehearing to alter his status.³⁹⁷ In his application, Mr. Corollo wrote: "I understand that I am charged with being a potentially dangerous enemy. The following is submitted as proof that I am not but, on the contrary that I am loyal to the United States and the ideals and principles for which it is now waging war against the Axis powers."³⁹⁸ Included in his application for a rehearing were three affidavits of witnesses attesting to Mr. Corollo's loyalty. All three witnesses insisted that they had never heard Mr. Corollo say anything that could be construed as un-American and that they considered him loyal to the United States. One affiant described him as an "honorable, hard-working and conscientious person."³⁹⁹

As part of the application process for the rehearing officials at the internment camp completed a form titled "Information on Internee Behavior Desired by the Department of Justice," in which acting officials effectively graded internees on a

³⁹⁵ "Hearing Board's Recommendation, August 1942," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁹⁶ "Memorandum for Alien Enemy Information Bureau, 9-12-42," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁹⁷ "Carollo to United States District Attorney, February 25, 1943," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

³⁹⁸ Ibid.

³⁹⁹ "Memorandum to Chief of Review Section, August 17, 1943," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

scale of favorable, unfavorable, and neutral or unobserved.⁴⁰⁰ The indicators used to measure behavior, and Mr. Carollo's 'grade' for each, were; (1) general attitude and cooperativeness with camp authorities—favorable, (2) trend of physical condition during internment—favorable, (3) trend of mental condition (despondency, etc) during internment—favorable, (4) character of associates or groups of associates among internees (wherever possible name associates under "remarks".)—favorable, (5) expressed views with respect to the position of the United States in the present war—unfavorable, 'negotiated peace,' (6) expressed views with respect to the position of the Axis powers in the present war—unfavorable 'negotiated peace,' and (7) reaction to war news favorable to the United States—neutral.⁴⁰¹ Mr. Carollo's preference for a negotiated peace at the conclusion of the war, presumably in contrast to an unconditional surrender, is classified as unfavorable. This classification suggests a more definite expectation for the loyalty of internees than in the preliminary investigations.

Included in a few other case files as well, this form appears to be a standardized measurement for evaluating internees' behavior and attitudes. The indicators used, with the exception of the one relating to physical condition, are consistent with the types of questions asked in the preceding FBI investigations. The emphasis on attitude and cooperativeness, the nature of associations and relationships with others, and the content and sentiment of expressed views persist throughout all stages of the enemy alien program and decisively demonstrates that the nature of the treatment of enemy aliens was predicated on character evaluations, impressions of

⁴⁰⁰ "Information on Internee Behavior Desired by the Department of Justice," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP, p. 1.

⁴⁰¹ Ibid.

attitudes, and interpretations of articulated thoughts, criteria that are inherently subjective and susceptible to cognitive mistakes or blatant bias.

In May 1943, Mr. Carollo was transferred from the custody of the Army back to the Immigration and Naturalization Service, and interned at Fort Missoula, Montana. By August 1943, his application for a rehearing had been reviewed, and was ultimately denied. In justifying this decision, the officiating United States Attorney explained that:

The information submitted in connection with subject's application for a rehearing does not affect the principal charges against him, to wit, that he was vice-president of the Circolo Francesco Crispi, sent most of his money abroad, did not make any effort to bring his family to this country and, in fact, indicated that he intended to return to Italy after the war if conditions permitted. It is therefore recommended that the rehearing be denied and that subject be continued in internment.⁴⁰²

Besides the primary charge against him, that he was associated with a fascist organization, the information that is highlighted in this justification reflects the previous argument made against Mr. Carollo, that he was not sufficiently invested in and committed to the United States. Because he sent his money back to Italy and had not yet attempted to reunite his family in America, Mr. Carollo was deemed disloyal, and thus potentially dangerous.

The relocation of the primary economic actor of a family in order to send remittances back to the rest of a family in their country of origin is, however, a standard, if not the prevalent, pattern of immigration driven by economic motives. For immigrants who came to the United States for the purpose of expanded economic opportunities, their reason for migration was transformed into a pseudo-legal rationale to apprehend individuals once they became enemy aliens. In Mr.

⁴⁰² Ibid, 2.

Carollo's case, the analysis and resulting decision of the enemy alien program essentially punished, moreover incarcerated, him for participating in the common practices and activities that characterized Italian migration. Put in its most exaggerated, yet nonetheless fundamental, terms, the alien enemy program effectively criminalized one component of the American dream for those immigrants who found themselves suddenly enemy aliens.

However, despite the denial of rehearing, Mr. Carollo was granted a subsequent hearing as a result of a program-wide policy review regarding Italian alien enemies. On September 27, 1943, Director Ennis wrote to the United States Attorney Office in New York, stating:

in the light of recent military developments, the Alien Enemy Control Unit has recently conducted an exhaustive review of the cases of all interned Italian alien enemies. The review has been based upon reexamination of the files in each case as well as visits which have been made to Fort Missoula by me and members of my staff. On the basis of this review and all the other facts available, which include reports from the Army and Immigration Service on the subject's conduct as an internee, it has been decided that this subject's case should be presented to the Special Alien Enemy Hearing Board which is presently in session at Fort Missoula, Montana.... It is requested that you convene the Hearing Board immediately upon receipt of the report and recommendation of the Special Hearing Board in order that they may advise the Attorney General of their concurrence in or dissent from the proposed disposition.⁴⁰³

Following this order, Mr. Carollo was granted his second hearing before the Hearing Board at Fort Missoula in September 1943. According this board's report and recommendation:

He made a favorable impression on the Board, appearing frank and above board... His answers to the questions put him has satisfied the Board that, however justified may have been his original internment, his release at that

⁴⁰³ "Director to Honorable James McNally, re: Calogero Carollo, Sept 27, 1943," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

time would not constitute a danger to the nation's safety; accordingly his release is recommended."⁴⁰⁴

As articulated in this explanation, Mr. Carollo's status as an Italian immigrant no longer seemed threatening due to the overall threat reduction of Italy, not because he suddenly appeared more familiar or any less foreign. Further emphasizing this point, "the members of the Board were of the unanimous opinion that the Subject would not be dangerous to the internal security of this country if he were released and recommended that he be released from internment."⁴⁰⁵

In a supplemental memo regarding this second hearing, the writer, who is unidentified but is most likely the overseeing United States Attorney, relates a conversation he had with Mr. Carollow. In this account, Mr. Carollo defends himself against the charge against him and the writer relates his own personal impression of the subject:

He admits, of course, his membership in the Circolo Francesco Crispi. He says it may have been Fascist before he joined it in 1938 and he claims that at some time before 1938 the organization split up and the pro-Fascist driven out. He says the organization as he knew it had no political activities whatsoever and was merely a sick benefit society which depended upon contributions made by the members. Since he was always a soft-touch and gave heartily for the benefit of the other members, he was made vice president (similarity to the American method is striking).⁴⁰⁶

Furthermore, the writer recounts that, "he told me he wanted his wife and children to come to the United States and live here with him and said that he had not yet been able to bring them over because his wife's mother does not want her to leave."⁴⁰⁷

⁴⁰⁴ "Memorandum for the Chief of the Review Section, October 1943," 2.

⁴⁰⁵ "FBI Report: Calogero Carollo 10-1-43," folder 146-13-2-51-1357, Enemy Alien Case Files, Box 417, RG 60, NACP.

⁴⁰⁶ "Supplemental Memorandum for Chief of Review Section, October 19, 1943," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

⁴⁰⁷ Ibid.

This analysis of Mr. Carollo's situation, based on an informal, personal conversation, reflects a more nuanced and insightful understanding of Mr. Carollo's actions, and seems to acknowledge more fully the specific challenges and conditions he faced as an immigrant. The writer subsequently agreed with the Board's assessment and suggestion of release.

This recommendation for release was then conveyed back to the original Hearing Board in New York, which accordingly reheard Mr. Carollo's case in October 1943, concluding that "in view of the change in circumstance affecting Italian aliens, and of the report of the Board that sat in Fort Missoula, is willing that the recommendation be changed from internment. It suggests, however, that it be parole instead of release, in order that all track may not be lost of the whereabouts of the alien."⁴⁰⁸ Following this recommendation, Mr. Carollo was ordered paroled by early November 1943. He remained on parole until July 1945, when "because of the cessation of hostilities in Italy and subject's favorable conduct since his parole, his release from parole is now warranted."⁴⁰⁹ As with the earlier decision to review his case, even after his application for a rehearing was denied, the decisive factor in Mr. Carollo's release was not any impression of his character or behavior, but a shift in international threat levels and foreign policy priorities. Thus, though evidence regarding his character and intentions remained influential throughout all of the proceedings, ultimately it was developments in the international situation, which were

⁴⁰⁸ "Hearing Board's Recommendation," October 28, 1943, folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

⁴⁰⁹ "Memorandum for the File, June 6, 1945," folder 146-13-2-51-1361, Enemy Alien Case Files, Box 417, RG 60, NACP.

then translated into altered policies within the enemy alien program, that produced changes in Mr. Carollo's case.

Conclusion

The course of this single individual's wartime experience was therefore determined by fluctuations in foreign policy. As representative of other prosecuted Italian Americans, Mr. Carollo's case establishes and exemplifies the impact of foreign policy and international relations on the treatment of enemy aliens and the implementation of domestic policies. Throughout these investigations, the immigrant status of Italian aliens was emphasized and typical features of Italian immigration patterns were often construed as evidence suggesting their problematic allegiances and suspicious sympathies. Evidently, then, Italian immigrants were perceived both by government officials and their acquaintances as largely unassimilated, thus retaining a high degree of foreignness. That Italian immigrants were declassified as enemy aliens, despite a constant high degree of foreignness, confirms the assertion that their treatment was predominantly determined by the threat level of the Italian state, rather than by their assigned degree of foreignness.

Chapter 6: Epilogue

The Morieta

The investigation of Mr. and Mrs. Morieta was sparked by a phone call from a Mr. G. Davies who confided that he “believed their true identity should be established.”⁴¹⁰ Mr. Davies, whose relation to the subjects is not clarified, “mentioned no remarks or acts of the subjects which indicated subversive activities, but thought that some investigation would be appropriate since they are both aliens.”⁴¹¹ This basic fact, that they were “both aliens,” seems to be the driving motive behind Mr. Davies’ tip and the FBI’s subsequent investigation. However, this case was not just the typical investigation of a German or Italian couple. Rather, while Mrs. Morieta was a German immigrant, Mr. Morieta had emigrated from Japan.

Thus, the case of Mr. and Mrs. Morieta provides an opportunity to transpose the standards and criteria that were applied to German and Italian immigrants as part of the selective enemy control program to a Japanese immigrant, one who was notably isolated from the Japanese American community on the West Coast. While Japanese immigrants on the East Coast and in other parts of the country were investigated and interned on this model, rather than systematically relocated as on the West Coast, Mr. Morieta and Mrs. Morieta’s case suggests these selective enemy alien control procedures were designed more for European rather than Japanese enemy aliens, who were presumed to be inassimilable.

⁴¹⁰ “FBI Report: Kenzo Morieta; Mrs. Pauline Schiller Morieta, 6-1-43,” folder 146-13-2-48-1597, Enemy Alien Case Files, Box 373, RG 60, NACP, p. 1.

⁴¹¹ *Ibid.*, 1-2.

Mr. and Mrs. Morieta were employed as butler and maid at the residence of Mr. G. F. Guiney, for whom they had worked for about a year before he was asked to testify regarding their characters in April 1943. It was made clear in the investigative report that Mr. Guiney and his family were considered “prominent people,” presumably enhancing the credibility of his testimony in the case. Mr. Guiney admitted that “at first... [he] was hesitant in hiring them since they are both alien enemies, and only did after he had made a thorough investigation through the [hiring] agency and through subjects’ previous employers.”⁴¹² As with the original call for an investigation, Mr. Guiney’s primary concern about both Mr. and Mrs. Morieta was their general status as enemy aliens, rather than a particular anxiety about either of their nationalities. Despite his initial hesitation, Mr. Guiney declared that “he now regards them as the most devoted servants that he has ever had, and it is his belief that they are loyal and patriotic to this country.”⁴¹³ In justifying this assertion, Mr. Guiney said that they came to him with “excellent recommendations” and “through remarks that they have made, it is his opinion that they are sympathetic to the people of the countries from which they came but that they are opposed to the government of the Axis countries and they are looking forward to the day when the Allies will win the war.”⁴¹⁴

This distinction, between empathy for a nation’s people and sympathy for its government, was a repeated feature throughout the investigations of German and Italian immigrants. The recognition of the capacity for such a cognitive distinction among Japanese Americans was systemically denied by the basic premise of the West

⁴¹² Ibid., 2.

⁴¹³ Ibid.

⁴¹⁴ Ibid.

Coast relocation program. By attributing this distinction to Mr. Morieta, Mr. Guiney is, at the individual level, undermining the prevailing argument at the time that it was impossible to differentiate between a loyal and disloyal Japanese individual. Finally, “Mr. Guiney concluded by stating he could trust subject with his last cent, and if necessary would take steps on their behalf, since he is certain of their loyalty.”⁴¹⁵

However, the superintendent of their apartment building did not seem to share Mr. Guiney’s positive review of the Morietas. While Mr. F.W. Yerian had “seen nothing which would indicate subversive tendencies on the part of the subjects,” he stated that he “had trouble with them.”⁴¹⁶ He considered Mr. Morieta to be “hot tempered, sneaky, and dirty” and “dislike[d] him because he will not obey such house rules as turning out lights and emptying ashes.”⁴¹⁷ Furthermore, Mr. Yerian believed “that Kenzo Morieta is partly insane.”⁴¹⁸ This description of Mr. Morieta, particularly the accusation of being “sneaky,” is consonant with the wartime enemy image of Japanese Americans. Despite these derogatory descriptions, Mr. Yerian maintained that he had “never seen any mail or any callers which would arouse his suspicions so far as the internal security of this country in war time is concerned.”⁴¹⁹ As with other cases, there was an apparent disconnect between the anxieties caused by perceived ‘foreignness’ of enemy aliens and any real evaluation of a security threat.

Mr. and Mrs. Morieta were also interviewed directly by the investigating agents. In her interview, Mrs. Morieta claimed that “she came to this country because

⁴¹⁵ Ibid.

⁴¹⁶ Ibid.

⁴¹⁷ Ibid.

⁴¹⁸ Ibid.

⁴¹⁹ Ibid.

of hard times in Germany and because she believed that it would be easier for her to make a living here.”⁴²⁰ However, she professed to having “become disheartened because she has always had to work as a maid in this country. She recalls she had an easier life when she was a girl living with her parents in Germany. She does not want this feeling to be interpreted that she is loyal to Germany or that she wants the Axis to win the war.”⁴²¹ Although she expressly did not want her statements to be misconstrued as signifying any allegiance to Germany, when examined within the context of the preceding sample of investigations Mrs. Morieta’s comments, with their clear nostalgia for Germany and frustration with her life in the United States, fall into the category of statements that commonly aroused suspicion. The juxtaposition of this statement with her husband’s is revealing:

In regard to their feelings and sympathies during this war, Kenzo stated that his father sent him out of Japan when he was a boy so that he would not have to take the military training which was required at that time. He likes the United States and prefers to make it his permanent home, since he has always been able to make a good living here and since he prefers the Democratic form of government. If it had been possible for him to become a citizen of this country, he would have taken the necessary steps when he first arrived here. He further stated that he belongs to no Japanese organization, that he feels sorry for the Japanese people but hates the men who are in power in that country. He wants the Allies to win the war. He believes that Japan is to blame for starting the war, and he is willing to serve in the Army of the United States.⁴²²

In this declaration, Mr. Morieta provides a nearly ideal answer to all the standard questions and criteria used throughout these enemy alien investigations: his answers are nearly identical to those given by numerous German and Italian Americans.

⁴²⁰ Ibid., 43.

⁴²¹ Ibid., 5.

⁴²² Ibid., 4-5.

The central difference between this statement and that of so many German and Italian immigrants is in reference to his citizenship status. In contrast to these German and Italian nationals, as an Asian alien, Mr. Morieta was banned by federal law from ever becoming a naturalized citizen. Nonetheless, Mr. Morieta takes a defensive tone, insisting he “would have taken the necessary steps when he first arrived here” if it “had been possible for him to become a citizen.”⁴²³ That Mr. Morieta was even questioned about his citizenship status in the first place demonstrates the extent to which the selective enemy alien control program was explicitly designed for the apprehension of German and Italian immigrants, the only enemy aliens who were eligible for citizenship.

As the German and Italian immigrant case files examined in this thesis reveal, citizenship status, as an official indicator of allegiance, was one of the most important criteria in enemy alien investigations. The obsession with citizenship status not only pertained to the enemy alien under investigation, but also to other family members. Moreover, the issue of intent, as in whether immigrants intended to pursue citizenship or their reasoning for why they had not, was also considered pertinent information. For Mr. Morieta, and all Japanese immigrants, this standard, deemed so essential for European immigrants, was not even applicable. Furthermore, for the *Nisei* generation, who were American-born citizens, citizenship status did not protect them from relocation and internment. Thus, in direct contrast to the cases of German and Italian immigrants, foreign descent and ancestry still outweighed citizenship status even for those Japanese who were in fact citizens. While this is by no means a novel observation, when juxtaposed with the preeminence of citizenship status in the

⁴²³ Ibid., 4.

German and Italian cases, the relocation and internment of Japanese American citizens becomes even more problematic. Although Mr. Morieta was not either a citizen or a resident of the West Coast, his case nonetheless evokes the essential differences in the treatment of Japanese and European enemy aliens and illustrates how the Japanese were pushed to the most alien edge of the spectrum of foreignness.

In his interview, Mr. Guiney observed that the Morieta were “most appreciative of anyone who sees their viewpoint and treats them as friends in spite of the fact that they came originally from Japan and Germany.”⁴²⁴ This reflection articulates one of the fundamental tensions that defined the treatment of enemy aliens. Could they still be seen as familiar, as friends, even though they were officially categorized as enemy aliens? Were these two labels mutually exclusive, or was it possible to find a semblance of familiarity despite the insistences upon foreignness? As the preceding cases have demonstrated, for German and Italian Americans it was possible, at least in some cases. The case of Mr. and Mrs. Morieta suggests that, at least for this individual Japanese immigrant, it was possible as well. Yet, as the testimony of Mr. Yerian suggests, the possibility of Japanese immigrants being seen as ‘familiar enough,’ was intrinsically limited by the strands of public opinion that considered them, even before Pearl Harbor, as wholly foreign, existing beyond the boundaries of Americanness and without any possibility of assimilation.

Ultimately, on May 12, 1945, an Assistant United States Attorney “declined to request the Attorney General to issue a Presidential Warrant for the arrest of either

⁴²⁴ Ibid., 2.

subject.”⁴²⁵ It seems, then, that Mr. Morieta was not automatically implicated by his race. As an isolated Japanese American, completely separated from the close-knit immigrant community on the West Coast, Mr. Morieta was not considered a threat, or even particularly suspicious. The original premise of the investigation, that they were “both aliens,” and therefore their “true” identities should be established and analyzed, was an articulation of a concern about both Mr. and Mrs. Morieta’s status as enemy aliens, rather than a particularized anxiety about their specific nationalities.

As the population-wide relocation program manifests, the prevailing belief at the time was that it was impossible to discern whether an individual Japanese resident was good or bad, loyal or disloyal.⁴²⁶ Thus, they were too foreign to even be treated as individuals. The character evaluations, physical descriptions, and individualized analysis of statements and sentiments that characterize the German and Italian case files all served to establish each subject as a specific, independent individual, separate from the rest of their respective immigrant communities. While individuals were certainly implicated by generalized stereotypes associated with their nationality, they were nonetheless granted a personalized due-process rather than being swept up in a systemic policy decision. This process of individual examination with discrete, un-predetermined outcomes, is exactly what the Japanese on the West Coast were denied. Without collective acceptance of a continuum of foreignness and familiarity

⁴²⁵ “FBI Report: Kenzo Morieta; Mrs. Pauline Schiller Morieta 7-12-45,” Enemy Alien Case Files, Box 373, RG 60, NACP, 1.

⁴²⁶ Schmitz, *Enemies Among Us*, 293. Schmitz writes, “In the weeks after Pearl Harbor, nearly every statement made by public officials on the subject of resident Japanese revealed the difficulty of distinguishing and thereby separating the ‘good’ from the ‘bad’ Japanese American. Privately, too, some of the nation’s top policymakers instrumental in the evacuation of aliens and citizens specifically wrote of the of the ‘Japanese problem.’ Believing the Japanese ‘unassimilable,’ but not the Germans or Italians, Secretary of War Henry Stimson wrote in his diary entry of February 10, 1942 that the Nizei were more dangerous than their immigrant parents were. ‘Their racial characteristics are such,’ Stimson mused, ‘that we cannot understand or even trust the citizen Japanese.’”

within the population—as was the case with European enemy aliens—Japanese immigrants and their descendants on the West Coast were collectively relegated to the edge of the spectrum where the entirety of the Japanese population was shrouded in foreignness.

Racism and Foreignness

Not only does the Morieta case exemplify the particularity of the selective internment program in that its criteria were not applicable to Japanese nationals, but also supports the argument that, at least outside of the West Coast, the treatment of enemy aliens was driven more by a pervasive fear of their alien and foreign status than by a particularized prejudice against specific immigrant groups and nationalities. While the specific enemy images of each immigrant group were certainly influential in determining the threat they represented and the treatment they received, comprehensive consideration of the differential treatment of all three enemy alien populations suggests that the underlying factor in all three cases was a more generalized, ambiguous idea of foreign enemies, rather than a specific strain of discriminatory xenophobia. The Commission on Wartime Relocation came to a similar conclusion through its comparison of the treatment of Japanese Americans in World War II with the treatment of German Americans in World War I, arguing that, “the emotional response to war, not racism alone, plays a significant part in the

vilification of deprivation of liberty suffered by any ethnic group ancestrally linked to an enemy.”⁴²⁷

Nonetheless, the majority of the existing body of historiography about Japanese internment argues that racism was a determining, if not the defining, factor in the policies that governed the treatment of the Japanese population on the West Coast. As articulated by the Commission on Wartime Relocation, the treatment of Japanese Americans was “not justified by military necessity, and the decisions which followed from it...were not driven by analysis of military conditions. The broad historical causes which shaped these decisions were race prejudice, war hysteria and a failure of political leadership.”⁴²⁸ Race prejudice, specifically, has been promulgated by historians as an encompassing explanation of the scope and severity of the relocation and incarceration program. Daniels explicitly claims that “the wartime abuse of Japanese Americans... was merely a link in a chain of racism that stretched back to the earliest contacts between Asians and whites on American soil.”⁴²⁹

While this argument is certainly accurate, its exclusive focus on the Japanese ignores, even for comparative purposes, other enemy aliens targeted by governmental surveillance and control. If this existing argument is expanded to include other measures of foreignness, including race as one crucial factor in the construction of foreignness, the commonly accepted narrative of what happened to the Japanese population can be integrated with the cases of German and Italian immigrants, producing a more nuanced understanding of all three cases. Giving equal weight to the other factors identified by the Wartime Relocation Commission—war hysteria

⁴²⁷ Commission on Wartime Relocation, *Personal Justice Denied*, 289-90.

⁴²⁸ *Ibid.*, 18.

⁴²⁹ Daniels, *Prisoners Without Trial*, 3.

and failure of political leadership—makes a more nuanced analysis of the treatment of enemy aliens possible, one that accounts for the treatment of all three enemy alien groups.

The very existence and purpose of the enemy alien regulations serves to not discount the significance of race, but introduce a supplementary explanation that embeds the race argument within it. While indisputably not nearly as severe as the regulations targeted at the West Coast Japanese population, the fact that all enemy aliens throughout the country were first, before the onset of the war, required to register with the government and then required to register again in 1942, as well as provide more information and carry a certificate of identification on their person at all times, established a level of state control over the lives of these individuals.

If race were really the sole driving force behind government regulation of enemy aliens, then certainly Germans, and possibly Italians, would not have been placed under surveillance, investigated and selectively interned. Furthermore, if race were the determining factor in the treatment of enemy aliens, then Italians, whose whiteness was still considered problematic and distinct from the accepted Anglo-Saxon norm, would not have been declassified and deemed non-threats while Germans remained categorized as enemy aliens. Even though Germans were effectively fully assimilated, at least racially, into Anglo-Saxon American society, the very real strategic threat posed by Germany ensured that German immigrants would remain classified as enemy aliens throughout the duration of the war. Therefore, an explanation tethered strictly to the respective race of the three immigrant groups cannot fully account for the treatment of all enemy aliens. However, when described

by the spectrum of foreignness model, taking into account both assigned degrees of foreignness— with race as one crucial component—and actual threat levels, the complexity of the differential treatment of German, Italian, and Japanese immigrants becomes more comprehensible.

This line of argument does not diminish or minimize the importance and consequences of Japanese relocation on the West Coast, rather it extends the implications of the Japanese case and demonstrates that, while most intensely targeted at the Japanese, the United States' baseline reaction to foreignness in a time of national crisis was to restrict, whether forcibly and physically or through regulations and surveillance, the freedom of all 'potentially dangerous' enemy aliens, regardless of their race. While race was enough to categorize entire communities on the West Coast as 'potentially dangerous,' it was not enough to completely pardon Germans, to continually incriminate Italians, or to automatically implicate Japanese outside of the West Coast. That this minimal common denominator of government control was applied to all three immigrant groups, in varying degrees, supports the conclusion that treatment was determined not solely by race, but by a more encompassing anxiety about foreignness that incorporated both inherent degrees of foreignness and linkage to the perceived threat associated with an enemy nation's foreign policy.

As the case files demonstrate, this general idea of foreignness was inherently subjective and impressionistic. The role of informants, with varying degrees of intimacy with the subject and of credibility, the types of evidence used, the seemingly arbitrary privileging of certain pieces of information, and the lack of standardized criteria for investigation and prosecution all serve to establish the case files as

unequivocally subjective and idiosyncratic. Yet, although these case files focus on individual subjects, their impressionistic quality is not solely a result of their intensely personal nature. Rather, in a climate of crisis that was fueled by resentment over Pearl Harbor and the subsequent war that required widespread public support, this increased emotionalism was also apparent in broader currents of public opinion.

The Public Opinion of Foreignness

This conception of public opinion is supported by an emerging body of political science literature that parallels Jacobson's intervention in historical scholarship. Just as Jacobson's framework synthesizes domestic and foreign policy around the organizing concept of foreignness, a corresponding body of political science advocates integrating the study of domestic and international spheres to provide deeper insights into the intersection of public opinion, decision-making, and public policy. Adam J. Berinsky uses this model to address an often ignored area of research: public opinion during World War II.⁴³⁰ As public opinion polling only began in the 1930s, available data is limited and scholars have been relatively hesitant to rely on it. Berinsky, however, recovered a significant body of public opinion data, allowing him to present an alternative picture of public opinion during World War II, one that has rendered previous conceptions "misguided" and "incomplete."⁴³¹ As a result of examination of this new data, Berinsky's main argument is focused on the same intersections with which Jacobson engages:

⁴³⁰ Adam J. Berinsky, *In Time of War: Understanding American Public Opinion From World War II to Iraq* (Chicago: The University of Chicago Press, 2009).

⁴³¹ *Ibid.*, 36.

public opinion during times of crisis—and during war in particular—is shaped by many of the same affections and enmities found on the domestic stage. Although these individual attachments may not fully account for changes in collective opinion, looking at wartime opinion through the lens of domestic politics yields some striking insights. Thus, to properly understand international relations and domestic politics, we need to unify the two areas of study.⁴³²

When political scientists and historians integrate the study of domestic politics and international relations, a more nuanced vision of public opinion emerges.

Drawing on previous research on “reference group” theories, Berinsky’s conception of public opinion is largely informed by conceptions of group identity, both in terms of affinity towards one own group and hostility towards out-groups.⁴³³ As he states, “a tremendous body of research has demonstrated that attachments and enmities to salient social groupings in society shape political understanding and behavior on domestic issues.”⁴³⁴ Berinsky extends upon this commonly accepted point, which on its own is an important affirmation of how individual enemy aliens were perceived through collective images of their group identities, and argues “that beliefs about those groups to which individuals feel loyalty or hostility also structure their attitudes in the realm of foreign policy.”⁴³⁵

This assertion is congruent with the insights gleaned from examination of enemy alien investigations in two central ways. Firstly, it explains immigrants expressed sympathy for their homeland—yet simultaneous insistence on loyalty to the United States—in a new way that refutes the view that such behavior betrayed questionable allegiance. Secondly, it bridges the gap between opinion on domestic

⁴³² Ibid., 4-5.

⁴³³ Ibid., 128. See also Philip E. Converse, “The Nature of Belief System in the Mass Publics,” in *Ideology and Discontent*, ed. David Apter (New York: Free Press, 1964).

⁴³⁴ Berinsky, *In Time of War*, 127.

⁴³⁵ Ibid.

policy and attitudes on foreign policy, thus allowing for reciprocal effects. Specifically, Berinsky claims that “opinion is not determined just by universal ethnocentrism; instead, it is also ordered by specific stereotypes,” an understanding consistent with the both the concept of discrete assigned degrees of foreignness as determined through enemy images and stereotypes, as well as with the existence of generalized, xenophobic attitudes.⁴³⁶ Grounded in this theoretical model of public opinion, Berinsky’s examination of public opinion during World War II is intellectually consonant with the descriptive model of the spectrum of foreignness used to consider enemy alien investigations in this thesis.

As historian David Kennedy writes, “it is now a truism that American sentiment, nurtured by that inventory [of enemy images] and fed by resentment over the assault on Pearl Harbor, was far more hotly anti-Japanese than anti-German.”⁴³⁷ Enemy images used in wartime propaganda confirm this assertion, with the Japanese often depicted using simian imagery, while Germans and Italians maintained a human form. However, Berinsky’s examination of polling data presents new information that complicates this accepted version of events:

In December 1941, the National Opinion Research Center (NORC) asked, “Which do you think we should consider our number-one enemy—Japan or Germany?” The majority of the public – 55 percent—replied Germany, while only 35 percent said Japan. Even on the West Coast, where reaction to the attack was most severe, citizens identified Germany as the number-one enemy by a margin of 50 percent to 45 percent. During the following months this sentiment did not change. In a March 1942 OPOR poll, 43 percent of respondents said that Germany was the number-one enemy, as compared to 29 percent who said Japan, and Germany continued to outpoll Japan in a May 1942 OPOR poll by a nearly identical margin of 44 percent to 32 percent.⁴³⁸

⁴³⁶ Ibid., 148.

⁴³⁷ Kennedy, "Culture Wars: The Sources and Uses of Enmity in American History," 354.

⁴³⁸ Berinsky, *In Time of War*, 50-51.

Ultimately, what this data suggests is that even as the American public experienced the trauma of Japan's attack on Pearl Harbor and advocated for retaliatory action, public opinion still rationally considered Germany the United States' primary strategic enemy. The concurrence of these two attitudes—identifying Germany as the primary enemy and yet opposing the Japanese more emphatically—cannot be described as rational, even if it is emotionally comprehensible. These seemingly conflicting opinions reflect an emotional reality; following the attack on Pearl Harbor subjective impressions of Japanese Americans and the Japanese state were fueled by a sense of trauma and desire for revenge, which in turn were intensified by pre-existing prejudices. O'Neill tellingly captures this point, arguing that, “sentimentality, not statecraft, would be the engine that drove America to war.”⁴³⁹

Enemy Alien investigations were driven by this same confluence of fear and distrust of foreigners. While the case files heighten these trends due to their small scale and personalized scope, taken collectively they exhibit the perceptions and judgments that, when aggregated, align with public opinion. In a sense, the personal attitudes expressed in these investigations are an imprecise microcosm for the same perceptions and judgments that marked the contours of the public sphere in which the American public developed its opinions and the government formulated its policy.

Thus, while the questions posed during investigations and those pollsters researched address different substantive issues, and therefore cannot be directly equated, the descriptions of personal attitudes that emerge from the case files can nonetheless be seen as representative of collective beliefs and opinions. Furthermore,

⁴³⁹ William L. O'Neill, *A Democracy at War: America's Fight at Home and Abroad in World War II* (New York: The Free Press, 1993), 51.

as Berinsky argues, “focusing on the aggregate level paints an incomplete picture of the behavior of individuals in a democracy.”⁴⁴⁰ The in-depth exploration of the case files in this thesis then serves to fill this void and contribute to a more comprehensive understanding of perceptions of foreignness during World War II.

Conclusion

In fact, the subjective, emotive nature of public opinion is a crucial element in Jacobson’s formulation of American encounters with foreignness. Ultimately, Jacobson’s model is predicated on the proposition that “the historic American encounter with foreign peoples... took place in intricate relation to the ambivalent American *idea* of foreign peoples,” encompassing “images and stereotypes of the foreigner.”⁴⁴¹ Consistent with their potential for reflecting both familiarity and foreignness, Jacobson identifies “the immigrant,” as a charged cultural icon with both positive and negative valences.⁴⁴² As he makes clear, “immigrants provided the basis for self-flattering portraits of the openness of the nation’s democratic order; and yet they bore the brunt of some of the nation’s fiercest antidemocratic impulses.”⁴⁴³ As manifestations of the other, the presence of immigrants both symbolically and practically provided a counterpoint for Americans’ own self conceptions, thus adding to the delineations of Americanness and un-Americanness.

⁴⁴⁰ Berinsky, *In Time of War*, 213.

⁴⁴¹ Jacobson, *Barbarian Virtues*, 97.

⁴⁴² *Ibid.*, 14.

⁴⁴³ *Ibid.*, 62.

While Jacobson uses the term foreigner to collectively refer to others both within the United States and internationally, his equivalence of immigrants with foreigners contributes to a paradigmatic shift about the concept of immigrants and how they have been perceived by American society.⁴⁴⁴ This thesis, as a case study of an American encounter with foreignness in which an overwhelming international situation shaped the boundaries of public opinion and domestic policy, provides evidential support for the usefulness of this paradigmatic shift as it documents the relative positioning of German, Italian, and Japanese immigrants as they traversed the spectrum from familiar to foreign, from neighbors—or strangers—to enemy aliens. Thus, at the most fundamental level, this thesis tracks the transformation of foreign-born individuals from immigrants to enemy aliens. By charting the trajectory of familiar, or at least familiar enough, to inexcusably foreign, we see how both degrees of foreignness and threat levels associated with enemy nations combine to position these foreigners along a spectrum of foreignness.

⁴⁴⁴ Ibid., 63.

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Note on Enemy Alien Case File Citations: Specific case files from this record set form the primary content of this thesis and are cited directly in the text in footnotes. The footnotes document: title of document, folder number, Alien Enemy Case Files, Box number, RG 60, page number (if applicable). The majority of the documents in the case files are FBI Reports. Many case files contain multiple reports; as such, the only differing identification information is the date of the report, included in the title of the document. Subsequent abbreviated notes contain the last name of the subject, the date of the report, and page number, if applicable. Abbreviations used in the citations: National Archives II, College Park, Maryland (NACP); Record Group 60 (RG 60); "World War II Alien Enemy Detention and Internment Case Files" (Enemy Alien Case Files).

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