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Germans and German Americans

In the first six months of 1942, the United States was engaged in active warfare along the Atlantic Coast with the Germans, who had dispatched submarines to American Atlantic waters, where they patrolled outside harbors and roadsteads. Unconvoyed American ships were torpedoed and destroyed with comparative impunity before minefield defense and antisubmarine warfare became effective several months later. In the last weeks of January 1942, 13 ships were sunk totalling 95,000 gross tons, most of it strategically important tanker tonnage. In February, nearly 60 vessels went down in the North Atlantic and along the American East Coast; more than 100,000 tons were lost. At the same time, the naval war expanded to the east coast of Florida and the Caribbean. March 1942 saw 28 ships totalling more than 150,000 tons sunk along the East Coast and 15 others, more than 90,000 tons, lost in the Gulf of Mexico and the Caribbean. More than half were tankers. The destruction continued through April, May and June as American defenses developed slowly; the peak came in May, when 41 ships were lost in the Gulf.¹

This devastating warfare often came alarmingly close to shore. Sinkings could be watched from Florida resorts and, on June 15, two American ships were torpedoed in full view of bathers and picnickers at Virginia Beach.² The damage done was described by the Navy:

The massacre enjoyed by the U-boats along our Atlantic Coast in 1942 was as much a national disaster as if saboteurs had destroyed

half a dozen of our biggest war plants. . . . If a submarine sinks two 6000-ton ships and one 3000-ton tanker, here is a typical account of what we have totally lost; 42 tanks, 8 six-inch Howitzers, 88 twenty-five-pound guns, 40 two-pound guns, 24 armored cars, 50 Bren carriers, 5210 tons of ammunition, 600 rifles, 428 tons of tank supplies, 2000 tons of stores, and 1000 tanks of gasoline. Suppose the three ships had made port and the cargoes were dispersed. In order to knock out the same amount of equipment by air bombing, the enemy would have to make three thousand successful bombing sorties.³

Japanese attacks on the West Coast were insignificant by comparison. The few shells lobbed ashore at Goleta, California, and the incendiary balloons floated over the Pacific Northwest amounted to little more than harassment. Yet the far more severe treatment which Japanese Americans as a group received at official hands, and less formally from their fellow citizens, appears to suggest the opposite. The wartime treatment of alien Germans and Italians, as well as the German American experience of the First World War, lends new perspective to the exclusion and detention of the ethnic Japanese.

The less harsh controls faced by German Americans in 1942 did not emerge simply from a more benign view of their intentions. Samuel Eliot Morison, the eminent historian of American naval operations in World War II, firmly believed that disloyal elements along the Atlantic Coast aided German submarine warfare: "The U-boats were undoubtedly helped by enemy agents and clandestine radio transmissions from the United States, as well as by breaking codes."⁴ Morison does not support this conclusion with any evidence and, given the lack of corroboration for similar beliefs on the West Coast, one must view it skeptically. Nevertheless, this view surely represents the beliefs of responsible people at the time.

This destructive struggle, with its suggestions of active aid from people on shore, produced no mass exclusion of German aliens or German American citizens from the East Coast. The Justice Department interned East Coast German aliens it thought dangerous, and a small number of German American citizens were individually excluded from coastal areas after review of their personal records. Exclusion or detention of some categories of German aliens was considered, but rejected. Immediately after the Pearl Harbor attack, the FBI picked up Axis nationals whom they suspected, frequently on the basis of membership in suspect organizations.⁵ By February 16, 1942, the Justice Department had interned 2,192 Japanese; 1,393 Germans and 264 Italians.⁶ For enemy aliens of all nationalities, internment differed

markedly from the exclusion program on the West Coast. Hearings on loyalty were held promptly, and release was very likely despite the government's great advantages in the hearing process.

Those arrested were sent to the nearest regional headquarters of the Immigration and Naturalization Service or, when such places were filled, to other temporary sites. Eventually detainees were sent to camps set up during 1941 and managed by the INS, where they received loyalty hearings. Citizens of different professions, including at least one lawyer, sat on each hearing board, whose members served for \$1.00 a year plus travel expenses.

Hearings were adversarial. The government was represented by the local United States Attorney's office, and FBI or INS agents generally attended.⁷ The detainee was not permitted to have a lawyer present⁸ 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.⁹

Other impediments prevented full, fair hearings. Many cases had to proceed through translators; hearing board members were busy and wanted to proceed quickly; sessions frequently lasted until late at night. 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, and the Justice Department obtained removal of hearing officers thought too lenient. 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.¹⁰ 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.

In the spring of 1942 the War Department seriously considered whether the power of Executive Order 9066 should be used to exclude from certain areas all German and Italian aliens or at least some categories of such enemy aliens. Secretary Stimson, in his letter and

memorandum of February 20 delegating authority to General DeWitt, had instructed the General to consider and develop plans for excluding German aliens, but to ignore the Italians, at least for the time being.¹¹ A week earlier, the War Department had asked corps commanders for recommendations on civilian control; it received suggestions for programs which would supposedly provide increased security by excluding large groups of enemy alien residents from extensive stretches of the Pacific and Atlantic coastlines.¹² General DeWitt pressed for a program that would have exempted a number of classes of German and Italian aliens, but would still have removed several thousand Germans and Italians from the West Coast.*¹³ There were no serious proposals for the mass movement of categories of American citizens of German and Italian descent, although local commanders sought the power to exclude individual citizens.¹⁴

The mass movement of Germans and Italians was effectively opposed. With about one million German and Italian aliens in the country, it was quickly recognized that moving such a large group *en masse* presented enormous practical difficulties and economic dislocations.¹⁵ Moreover, exclusion would mean establishing relocation camps, for excluded people would not be accepted in the heartland.¹⁶ In addition, to have detained many Germans who were already refugees from the Nazis would have been bitterly ironic.¹⁷

But most critical was the public and political perception of the lesser danger presented by Germans and Italians. Within the government, there does not appear to have been much more detailed knowledge about German and Italian individuals than there was about the ethnic Japanese. Writing after the war, the Western Defense Command summed up official ignorance:

It would be unbelievable to anyone not concerned with intelligence matters that there were not available anywhere prior to Pearl Harbor, a record of German, Italian and Japanese organizations in the United States, with some knowledge of their struc-

*In a rare open deviation from the views of his superior, Bendetsen gave his personal recommendation to McCloy; he urged that there be no movement of Italians by groups but only the individual internments that were already being carried out by the Justice Department. Bendetsen wanted to exempt from any move some classes of German aliens in addition to those DeWitt suggested. Memo, Bendetsen to McCloy, May 11, 1942. NARS. RG 107 (CWRIC 287-89).

ture, purposes, and connections with their homelands. The fact remains that no such lists existed. . . .¹⁸

In this situation, for the Germans and Italians as for the ethnic Japanese, public perceptions and their political implications were very important. The Italians were virtually dismissed as a threat. In February, Stimson told DeWitt to ignore the Italians for the time being because they were "potentially less dangerous, as a whole."¹⁹ In May, Archibald MacLeish, in the Office of Facts and Figures, and Alfred Jaretzki, Jr., whom McCloy had brought in to help deal with German and Italian aliens, proposed to exempt Italians from the restrictions on enemy aliens.²⁰ In the fall, after approval by Roosevelt, who dismissed the Italians as "a lot of opera singers,"²¹ Attorney General Biddle announced that they would no longer be considered "aliens of enemy nationality."²²

There was greater feeling that there were possibly more sinister German groups and individuals, but the political weight opposed any mass movement or detention. In February, when the evacuation of ethnic Japanese was about to start, Congressman Tolan telegraphed Biddle about setting up boards to inquire into the individual loyalty of Germans and Italians.²³ In March, Tolan's Committee published its findings and recommendations and bluntly dismissed mass movement of Germans and Italians: "This committee is prepared to say that any such proposal is out of the question if we intend to win this war."²⁴ There was no important Congressional support for such a program, and the Justice Department also opposed mass evacuation.²⁵ The President himself told Stimson in early May, when he heard that evacuation of East Coast Germans and Italians was under consideration, that alien control was "primarily a civilian matter except of course in the case of the Japanese mass evacuation on the Pacific Coast." The War Department was to take no action against Germans and Italians on the East Coast without consulting the President first.²⁶

No effective, organized anti-German and anti-Italian agitation aroused the public as it had against the ethnic Japanese on the West Coast, and the War Department, although it considered moving some classes or categories of Germans, was not sufficiently persuaded to press the President to allow it.²⁷

On May 15, Stimson recommended to the President at a Cabinet meeting that, under the Executive Order, area commanders be allowed to exclude from militarily sensitive areas particular individuals, but not classes of German or Italian aliens.²⁸ Roosevelt approved the plan. On the West Coast, DeWitt, having first demanded that the War De-

partment absolve him of the consequences of not evacuating entire classes of German and Italian aliens,²⁹ issued individual exclusion orders to a small number of Germans and Italians.³⁰ On the East Coast, General Drum followed the same course but also issued orders to dim lights and to exclude all persons, aliens or citizens, from certain military areas which had been narrowly defined to avoid requiring people to relocate.³¹ These East Coast orders differ from the Japanese exclusion program because they did not discriminate among American citizens on the basis of ethnicity or parentage.

Very few people suffered individual exclusion. For example, in the Western Defense Command from August 1942 to July 1943, 174 persons, including native-born citizens and enemy aliens, received exclusion orders. Many of those were German-born or Italian-born American citizens. Similar action was taken in the same period by the Eastern and Southern Defense Commands, which barred 59 and 21 persons respectively from coastal areas.³²

This individualized approach to determining loyalty was followed despite visible, active pro-Nazi operations among German Americans before the outbreak of war. As late as February 20, 1939, the *Deutschamerikanische Volksbund*, popularly and simply known as the Bund, brought more than 20,000 people to Madison Square Garden for a rally to praise Hitler while denouncing Roosevelt and his administration.³³ At that time the Bund was organized by chapters throughout the United States and claimed a membership of more than 200,000.³⁴ This certainly exaggerated the numbers on which the Bund could rely for active pro-Nazi sympathy, and the Bund itself, full of sound and fury, frequently rang hollow—its leader, Fritz Kuhn, was sent to prison in 1939, convicted of embezzling Bund funds after having led a dissipated life unsuited to his political mission.³⁵ Nevertheless, at the beginning of the war there were reasonable grounds for anxiety about German-directed sabotage or fifth column activity, substantiated when two groups of German saboteurs landed in New York and Florida from submarines and were arrested in Fall 1942.³⁶

Was there a coherent policy behind treating the German aliens and German Americans on the East Coast differently from the Japanese on the West Coast? If one accepted the Western Defense Command's view that ethnic groups remain loyal to their ancestral nation, and further argued that mass measures were necessary only against Japanese Americans either because the loyal could not be distinguished from the disloyal within Asian groups or because urgency did not permit individual review, one would expect a careful official review of all

German Americans in order to detain the disloyal. The government made no such review. The opposing contention would be that German Americans were so fully assimilated that there was no doubt of their undivided loyalty. The prewar history of the Bund makes such an explanation implausible. Equally significant, an analysis of voting patterns shows that, as Roosevelt moved toward an anti-German foreign policy between 1936 and 1940, German American voters shifted away from Roosevelt toward the Republicans.³⁷ It might also be argued that, with England unconquered, the threat of invasion and coordinated fifth column activity was more remote. But this did not reduce the patent danger of espionage or sabotage on the East Coast, where U-boats were deployed with such devastating effect. The divergent treatment of ethnic Japanese and Germans does not make a logical pattern; one must look elsewhere to understand these events.

Two typical explanations of the divergent treatment of the two ethnic groups have been numbers and political influence.³⁸ The American population of German descent in 1940 was so large that any major program of exclusion or detention would have been very difficult to execute, with enormous economic and political repercussions. In 1940, 1,237,000 people of German birth lived in the United States, the largest foreign-born ethnic group except for the Italians. Further, if one considered the children of families in which both parents were German-born, the number of Germans in the country reached 5 million and, counting families with one German-born parent, the number rose to 6 million.³⁹ A population of that size had political muscle; the industrial northeast, the midwest and the northern plains states all had substantial German American voting blocs. Radical measures such as exclusion or detention would have carried a very heavy political cost.

Many believe that the explanation for treating German and Japanese Americans differently lies in nothing so mechanical as numbers or votes, but in visceral reactions of prejudice. While this explanation gives a particularly dark cast to events of 1942, it also holds out hope that as the American people matures, the danger of similarly intolerant actions diminishes. Insofar as reactions to the ethnic Japanese and Germans were influenced by unreasoned, uninformed public perceptions, this reading of history is persuasive, but the history of German Americans over the last eighty years also underscores the importance of war hysteria in 1942.

The German American experience after the United States entered the First World War was far less traumatic and damaging than the Nisei and Issei experience in 1942. Still, it makes clear that the emo-

tional response to war, not racism alone, plays a significant part in the vilification and deprivation of liberty suffered by any ethnic group ancestrally linked to an enemy.

The positions of people of German descent in 1917 and of the Issei and Nisei at the start of the Second World War were much different. In 1917, more than 8 million people in the United States had been born in Germany or had one or both parents born there.⁴⁰ Although German Americans were not massively represented politically, their numbers gave them notable political strength and the support of voices outside the ethnic group, such as Senator Robert M. LaFollette of Wisconsin.⁴¹ In fact, in some states, German immigrants were permitted to vote before becoming American citizens.⁴² German American sympathy for the fatherland was firmly and publicly expressed during the period of neutrality, when political German ethnic organizations urged an embargo on shipping war materiel to England and France, hoping to prevent war between the United States and Germany.⁴³ This active support of the German cause occasionally reached the level of sabotaging arms shipments to Europe.⁴⁴

When America went to war in 1917, a steady stream of actions, official and private, were taken against citizens of German descent and resident German aliens. As in 1942, initial fears of sabotage and espionage⁴⁵ contributed to a broad range of restrictive government measures. German aliens were excluded from the District of Columbia and kept out of sensitive military areas such as wharves, canals, ships and railroad depots; permission was required to change residence. Several thousand German aliens were interned for minor violations of these regulations.⁴⁶ Numerous states disenfranchised aliens with voting rights.⁴⁷ In what appears to be a *prima facie* violation of the First Amendment, the German language press was smothered by requiring that it print war news and comment on government actions in English and have them reviewed by the post office.⁴⁸ At the start of the war more than 500 German language periodicals were published in the United States; almost half were gone at war's end.⁴⁹

Vigorous and pervasive quasi-governmental groups also pursued citizens of German ancestry. Supported and encouraged by the Attorney General, the American Protective League was organized; its 200,000 untrained members, sworn in as volunteer detectives with badges, set out to investigate spies and saboteurs.⁵⁰ No actual spy was ever apprehended by this semi-official network, but it harassed German Americans through thousands of investigations. Informally, immense

pressure was brought to bear through Liberty Loan drives and semi-vigilante activity that included one lynching in Illinois.⁵¹

The history of these attacks in several aspects resembles events of 1942: rumors in the press of sabotage and espionage, stereotypes of the German as an unassimilable, rapacious Hun, and efforts to suppress the institutions—the language and the churches—that were most palpably foreign and perceived as the seedbed of Kaiserism. This history is all the more disturbing because there was no history of extensive anti-German agitation before the war.

The rumors came in from every part of the country:

Allegedly, Germans posing as Bible salesmen tried to stir up the Negroes in the South. In Dayton, the militia guarded the water works against feared acts of German sabotage. German-speaking Red Cross workers in Denver supposedly put glass in bandages and bacteria in medical supplies. Cincinnati's meat packers were rumored to be grinding glass into sausages. In South Dakota, a Mennonite flourmill was closed when a customer reported finding glass chips in the flour.⁵²

The stereotypical description of ethnic Germans was well-developed in its viciousness. The American Defense Society, with Theodore Roosevelt as its honorary president, put out a tract attacking the Germans as

the most treacherous, brutal and loathsome nation on earth. . . . The sound of the German language . . . reminds us of the murder of a million helpless old men, unarmed men, women, and children; [and the] driving of about 100,000 young French, Belgian, and Polish women into compulsory prostitution.⁵³

Others assailed Germans as barbarous Huns who could never be assimilated into American society.⁵⁴

This war on the domestic front focused first on stamping out the German language. By 1918 approximately half of the states had curtailed or prohibited instruction in German; several, along with dozens of cities and towns, had restricted the freedom of citizens to speak German in public.⁵⁵ German churches were investigated and denounced for their supposed allegiance to the German state.⁵⁶

German culture had, of course, seeped more deeply into American life by 1917 than Japanese culture had in 1942, and First World War chauvinism also sought to cleanse the United States of German cultural influence: Bach and Beethoven were banned, German books were burned, German names were changed.⁵⁷ Defeating Kaiser Wilhelm, newly-christened the "Beast of Berlin," by denying the citizens of Chicago or Pittsburgh access to Schubert or Goethe obviously promised

more emotional release in striking a blow against enemy symbols than thoughtful analysis of how those blows could possibly hurt Germany when they fell on other Americans.

The reaction of many German Americans was not unlike what the Issei and Nisei did. Many ethnic organizations and clubs disappeared or Americanized⁵⁸ (though this was not true of the churches, particularly separatist, pacifist sects such as the Mennonites and Hutterites, many of whom left the United States for Canada under the barrage of patriotic oppression⁵⁹), and the loyalty of German Americans had to be proven in the blood of European battlefields.⁶⁰ General John J. Pershing, who led American forces in Europe, was himself of German descent, having Anglicized his name from Pfoerschin,⁶¹ but even this counted for little with those who demanded battlefield demonstration of loyalty and reached shocking extremes of demanding military service from the old pacifist sects, who were as adamantly opposed to bearing arms for Germany as for the United States.

This earlier history of vilification hardly clarifies why there was no massive outburst against resident German aliens and German Americans in 1942. Perhaps one scapegoat is enough for a nation's frustrated anger; perhaps assimilation worked to blunt and blur hostilities; perhaps, for other reasons, Americans had come to make distinctions within the German American community between "trustworthy" and "untrustworthy" Germans. In any case, the history of German Americans in 1917 and Japanese Americans in 1942 reveals some basic elements of the country's social structure. We are indeed a nation of immigrants and, of course, virtually every immigrant ethnic group carries some affection for and loyalty to the language, culture and religion of its homeland. The strength of such ties varies depending on whether the reasons for immigration are economic, or spring from persecution due to religion, political views, race or some other factor. Typically, in time ancestral ties are loosened, but in the first few generations they are real and tangible, often more vigorously pursued by a third generation seeking its roots than by an Americanizing second generation. War between the United States and the ancestral country inevitably creates tension for those who, to some degree, wish to maintain loyalty, if not to the political aims, at least to the cultural values and social practices of both countries.

Outside the ethnic group, both world wars have stirred fear and anxiety that the group's loyalty lay with the mother country, not the United States.⁶² To some extent Chinese Americans experienced similar reactions during the Korean War.⁶³ The risks and terrors of war

stir deep emotion, and the impulse to act unreflectively is strong—but to do so is to give up one of the basic tenets of our nation by placing ethnic ties above a free choice of citizenship made by the individual. As early as May 1942, after listening to extensive testimony, the Tolan Committee concluded that equating ethnicity with loyalty was unsound: "This testimony has impressed upon us in convincing fashion the fundamental fact that place of birth and technical noncitizenship alone provide no decisive criteria for assessing the alinement [sic] of loyalties in this world-wide conflict."⁶⁴ In both world wars we failed to live by those precepts and, through that failure, brought hardship and injustice to loyal citizens and resident aliens.

What remains particularly troubling is that after a quarter century—1917 to 1942—far from demonstrating that we learned from our earlier mistreatment of another ethnic group, we unleashed summary sanctions upon a small ethnic group on a scale unknown in our history; and this course of action was officially sanctioned by the executive with the formal cooperation of the legislature.

The United States has won the loyalty of millions who have chosen to make it their home and country; whatever other basis there may be to suspect disloyalty in wartime, our history shows that ethnic ties to an enemy people are not equivalent to political loyalty to an enemy state. Nevertheless the First World War saw the invasion of First Amendment rights and the development of quasi-governmental groups near vigilantism; World War II brought exclusion and detention with full governmental participation. Both of these invaded rights and liberties which, because they were protected by the Constitution, were afforded the strongest shield available in American law.

Congress, urged by an anxious, angry public, has the power to repeal peacetime prohibitions designed to reinforce those constitutional protections, and the courts can find ways to evade their responsibility. The Supreme Court, striking down the use of martial law in loyal territory at the end of the Civil War, summarized the central issue:

When peace prevails, and the authority of the government is undisputed, there is no difficulty in preserving the safeguards of liberty; . . . but if society is disturbed by civil commotion—if the passions of men are aroused and the restraints of law weakened, if not disregarded—these safeguards need, and should receive, the watchful care of those intrusted with the guardianship of the Constitution and laws. In no other way can we transmit to posterity unimpaired the blessings of liberty.⁶⁵