Marriage as Citizen’s Privilege: Japanese Picture Marriage and American Social Justice

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Introduction

Over the past three decades, scholars of US immigration history, Asian American studies, and legal history have studied the pursuit of civil and social justice by Asian populations in US history. Because of discriminatory treatments they received in US society, which led them to concentrate among themselves within their own ethnic communities, and because of their marginalized political status, designated as aliens ineligible for citizenship, Asian populations, particularly the first immigrant generation, had long been viewed as non-assimilating and ignorant of American political and legal institutions. This perception has long prevailed among scholars.

The new scholarship, however, has demonstrated the legal efforts made by Asian populations in the United States, especially by the Chinese population, to obtain their civil and social rights. Studies have revealed, for example, that during the 1860s and 1870s, Chinese people successfully challenged in a federal court a series of anti-Chinese measures, including the Capitation Tax, the Queue Ordinance, and the Laundry Ordinance in San Francisco. Their challenges, in turn, contributed to the development of the US immigration policy and laws that redefined the boundary between citizens and non-citizens, which accordingly affected social justice for the Chinese population.

On the topic of Asian population and social justice, this paper will present Japanese immigrants and their marriage practice, namely picture marriage, in the early twentieth century United States. Contrary to the general perception that marriage is utterly a private matter, the institution has been, as historian Nancy F. Cott quotes, “deeply implanted in public policy, sprouting repeatedly as nation took over the continent and established terms for the inclusions and exclusion of new citizens.” It has been a privilege of citizens, a male citizen’s privilege, in the strict sense. Marriage of immigrants, or family reunification, has been secured by US policy makers as a basic social right for European immigrants. Recognized as a world power, immigrants from Japan were also endowed with the right to marriage though they were ineligible to become naturalized US citizens. This increased the Asian population, a condition regarded as undesirable.
by US policy makers.

Analyzing the conflicted condition of Japanese immigrants, this paper demonstrates specifically three points regarding their pursuit of social justice. First, the Japanese immigrants’ admission to the United States depended greatly on the diplomacy between the US and Japanese governments. Second, the politics of observation and visualization of the immigrants was used by US government officials and Japanese exclusionists to shape US immigration policy and American notions of race and gender, while the same strategy of self-visualization was used by Japanese immigrants in an attempt to protect their right to marriage. Third, the politics of visualization of immigrants proves that social justice involves not only the practice of laws and institutions but also the moral qualifications of the immigrant group.³

I. Japanese Picture Marriage and Its Issues

Japanese picture marriage was a form of proxy marriage popularly practiced among Japanese immigrants in the United States during the first two decades of the twentieth century. Picture marriage provided wives to single male laborers, the large segment of early Japanese immigrants who decided to establish permanent residency in the United States. Set up by a “go-between,” marriage between a man in the United States and a woman in Japan was agreed upon after the couple exchanged portraits and information on their backgrounds. The wedding ceremony between the two families usually took place in Japan, often without the groom’s presence. Under the Japanese civil code, after the two families joined by the marriage notified their local government offices and registered the bride in the groom’s family registry, a valid marriage had taken place. Many brides and grooms met each other in person for the first time when the bride arrived at the US port.

Picture marriage was promoted among Japanese immigrants by middle-class leaders of the Japanese community as a means to the moral reform of their communities. They viewed the Japanese communities as disorderly places. The sex ratio was markedly skewed. At the turn of the century, around 1900, some reports estimated that there was only one Japanese woman for every twenty-four Japanese men in the United States.⁴ As a result of this uneven distribution, gambling and prostitution found a ready market among single male immigrants. The leaders of the Japanese community worried that such practices tarnished the image of their communities and fueled anti-Japanese sentiment in local society. Hoping to offset such negative evaluations, they took the lead in establishing families, running independent farms, and assuming entrepreneurial functions within the larger Japanese communities.⁵

There were several practical reasons why this marriage practice became prevalent among Japanese immigrants. First of all, Japanese immigrants were not permitted to take white American wives. Indeed, there were state laws, such as
the anti-miscegenation law of California in 1907, which prohibited inter-marriages between the Japanese and Caucasians. Although such inter-marriage cases were few, the law had eliminated the potential spouse and chance of marriage among Japanese immigrants. Second, a trip back to Japan solely for the purpose of marriage cost immigrants enormous sums of money and placed them in danger of being drafted for military service.6

During the peak period of the picture marriage migration between 1908 and 1920, it is estimated that over 10,000 picture brides entered the United States. Their presence did create a more balanced sex ratio. The total number of Japanese residents in the United States in 1920 was 111,010, with 72,707 of them men and 38,303 women, making a ratio of 1:1.9 in favor of men.7 The number of picture brides constituted only about one quarter of the immigrant female population. However, because the picture brides’ arrival in large groups via steamship was so public, attention was drawn to their presence, and by default they came to represent all Japanese immigrant women, picture brides or not.

Scholars of Japanese American history have emphasized that Japanese exclusionists and local politicians used picture marriage for their anti-Japanese propaganda and political campaigns. The Japanese exclusionists criticized the marriage practice as “peaceful penetration,” a means by which Japanese immigrant men could exploit women as cheap labor, and also increase the number of Japanese by having children, who were automatically granted US citizenship. From the American middle-class perspective of marriage based on romantic love and free will, the picture marriage, according to the Japanese exclusionists, was an uncivilized Oriental practice equivalent to coerced relations, bondage, or prostitution, and perfect evidence of Japanese savagery. Fearful of weakening Japan’s position as a world power after its victory in the Russo-Japanese War of 1905, the Japanese government forbade further emigration of picture brides in 1920.8 So for the Japanese immigrants, picture marriage was actually a short-lived phenomenon.

For US immigration officials like Hart North, San Francisco’s immigration commissioner, the man who aimed to implement immigration restriction policies between 1898 and 1909, this seemed like a long time. He later recalled that for about ten years after his resignation from the immigration station, the immigration station and its ruling authority, the Department of Labor, had unwillingly allowed the influx of thousands of picture brides.9

There was an ongoing, unsettling debate between US immigration officials and the US and Japanese governments over the definition and validity of picture marriage. Exclusionary laws specifically targeting Japanese immigrants did not exist, but immigration officials nevertheless operated under the racist assumptions underlying restrictions upon earlier waves of Chinese immigrants. The Chinese Exclusion Act, in effect since 1882 although excepting affluent merchants and elites, had denied migration to the United States, naturalization and subsequent US citizenship, and family reunification of Chinese population—the
rights which were privileged to European immigrants.

Complicating matters politically was the fact that federal officials wanted to expand the US market in Asia, and thus desired good relations with Japan. The US and Japanese governments agreed in an 1894 treaty that “guaranteed reciprocal ‘most favored nation’ rights of residence [be given] to the nationals of each country.” Thus the US government was required to observe the principles of domestic immigration and marriage policy, yet needed also to respect the Japanese legal system. The federal policy makers, especially in the Department of State, required discretion in the treatment of Japanese immigrants.

II. Picture Marriage Issue before the Gentlemen’s Agreement of 1908

The entry of Japanese brides to the United States through picture marriage started to draw the attention of officers of the Bureau of Immigration as early as 1903. At the beginning of the twentieth century, the Bureau of immigration and the Department of Labor were becoming the centralized, powerful agency of immigration control, replacing the local immigration stations and the officials that once had had a great deal of discretion in the matter of immigration.

Immigration stations located in Hawaii and the western states began to request from the central bureau in Washington, D.C., a ruling in regard to the validity of picture marriage and status of picture brides. The central bureau gave instructions to local stations to closely examine the documents of picture brides as well as the husbands appearing at the station, and to oblige them to remarry at church and to take a photograph of the bride, which the immigration service would then place in its files.

The debates between local stations and the central bureau generally began with its legality but ended up in a moral debate, defining that sort of marriage as a system that allowed trafficking in women. Although entry of prostitutes had been banned by the Page Act of 1875, enacted after the increase of Chinese prostitutes, there were more than a few Japanese immigrants who used picture marriage to traffic women into the United States. The use of photography to record a picture bride as a means to demonstrate moral inferiority became an indispensable part of the immigration station control process.

The records and correspondence of the Bureau of Immigration reveal much confusion and suspicion by US officials. On February 8, 1905, Hart North, the commissioner in San Francisco, sent a letter to Frank Sargent, the Commissioner-General of Immigration in Washington, D.C., requesting advice in regard to the case of Kotsuru, a 15 year-old Japanese picture bride, who had arrived at the port of San Francisco on January 20 as the wife of Kanjiro Iki, a farmer in Fresno county. Kanjiro, who had lived in the United States for more than nine years, was “much older” than his bride. Commissioner North assumed that the picture marriage would not be validated since Kanjiro was a resident of California while the woman was in Japan when the marriage was contracted. Kotsuru could not be
married in California, according to the state law, because “she was a minor and there was no one legally entitled to consent to the issuance of a marriage license.” Kotsuru was then placed in the care of Margarita Lake, of the Women’s Home Missionary Society of the Methodist Episcopal Church, who was appointed as her legal guardian by Judge Coffey of the Superior Court. The Society had long engaged in rescue work among Chinese prostitutes. Kanjiro, represented by an attorney, appealed to the California State Court against the Women’s Home Missionary Society for the release of Kotsuru on the ground that she was his wife.  

Consul of Japan K. Uyeno in San Francisco wrote to both Commissioner North and Commissioner-General Sargent, claiming the validity of the Ikis’ marriage and requesting the release of Kotsuru. “Under the Civil Code of Japan,” Uyeno quotes, “females of the age of 15 years and males of the age of 17 years are eligible for marriage, provided they have the consent of their parents or other legal guardians. It is not requisite for the legal consummation of such marriages, that any ceremony should be performed or that a state of cohabitation should exist. Section 775 of the Civil Code referred to above reads as follows: A marriage takes effect upon the notification to the Registrar. . . . The fact of Mr. Iki’s being a resident of the United States has no bearing upon the legality of the contract from the standpoint of Japanese law.”

Replying to Commissioner North, Commissioner-General Sargent expressed his views on the matter: If the marriage between two parties who stayed in different jurisdictions may be celebrated in Japan, it is valid in Japan on the ground of lex loci contractus. However, if one of the parties was in the United States at the time of the marriage contract, he or she was subject to the law of the state and, therefore, such marriage could not be consummated. The lex loci contractus should be respected; “[Y]et,” Sargent states, “there are exceptions to this rule, especially in those cases in which an adherence to it would be injurious to public rights or morals. . . . Take the case of a Chinaman who has two or more wives or concubines with whom he holds those relations under a contract or agreement lawful in Chinese Empire. . . . In the United States, under whose laws such contract or agreement is inadmissible, those obligations or rights could not be enforced.”

As a result Kotsuru was released under the condition of her remarrying Kanjiro at church. The immigration station had Kotsuru’s photograph taken to file in her record. Dissatisfied with the result, Margarita Lake of the Women’s Home Missionary Society protested to Victor Metcalf, the Secretary of Commerce and Labor, who oversaw the immigration service, firmly stating that picture marriage should be declared void, as otherwise Americans “may expect a flood of Oriental women, who will be brought into this country for immoral purposes.”

Metcalf, in his reply to Margarita Lake, on March 17, 1905, acknowledged that her views on Japanese picture marriages were in accord with the opinion of
the Bureau. As he referred to Section 2 of the Immigration Act of 1903, among those aliens who were excluded were “women for purpose of prostitution”; however, Metcalf wrote, that the Bureau could not prove the importation of Kotsuru was for immoral purposes. He concluded that the Department of Commerce and Labor “does not consider that the validity of such marriages is vital to a determination of the right of an alien to enter the United States,” declining to define picture marriage as a way to traffic Japanese women.16

As suggested in Kotsuru Iki’s case, for Japanese brides who were denied entry at immigration stations, the Department of Labor generally overruled the Bureau’s decisions and allowed their entry in the end. The same logic was observed when Tsuye Ozaki, another picture bride, was rejected for entry to Hawaii by the Bureau of Immigration in 1907 “as a person likely to become a public charge.” Tsuye appealed for permission to enter Hawaii as the wife of Wakamatsu Ozaki, whom she had married by picture marriage. In the memorandum for the Secretary of the Department of Labor, the Commissioner-General first explained the fact that Tsuye had been divorced in Japan before she married Wakamatsu, who also had been married and had been divorced three times; then, he claimed that Wakamatsu’s divorce from his second wife was not effective in the United States, since Wakamatsu had resided in Hawaii and the wife had been in Japan when he obtained the divorce. Referring to the Edmond Act, a statute enacted by Congress in the interest of public morals, the Commissioner-General further claimed that Wakamatsu would be prosecuted for bigamy and Tsuye for fornication if their picture marriage were accepted.17

The Secretary of the Department of Labor denied the Commissioner-General’s stance, however, since there was insufficient proof prior to landing that Tsuye was liable to become a public charge. Concerning the legal viewpoint, the Secretary suggested that “the Department should not prejudge it nor should the Department attempt to say just how far our courts would extend the principle of the comity of nations to the laws of Japan.” Then he suggested withholding a decision on the validity of this divorce, since it “would also necessarily involve the declaration that the Japanese laws, and the principles upon which they are based, are contrary to the public policy of the United States, which would be a declaration to be avoided if possible.”18

Beneath the sensitivity at the time was the imminent diplomatic issue between the US and Japanese governments which originated from local anti-Japanese sentiment, occurring particularly in California. As the number of Japanese immigrants increased, white Californians increasingly perceived them as an economic threat. Conflict erupted when, in 1906, the Asiatic Exclusion League pressured the San Francisco School Board to segregate Japanese pupils in municipal public schools.19 Reporting the incident, the local newspaper expressed the popular sentiment that “Japanese acquire the distinctive character, habits, and moral standards of their race, which are abhorrent to our people.”20 Anti-Japanese sentiment, now seeking expression in school segregation, had reached a
point intolerable to Japanese prestige.

The solution reached by the US and Japanese governments was the so-called Gentlemen’s Agreement, which came into force in the summer of 1908, when the Japanese government took the initiative and voluntarily halted further issuing of passports for all Japanese labor immigrants into the United States. The government was concerned that an increase in the number of low-class laborers would make all Japanese immigrants seem to the local white Americans as uncivilized as the Chinese, an outcome which, the Japanese government feared, would create anti-Japanese sentiment and establish Japanese exclusion legislation. The agreement did, however, allow those Japanese people who had already migrated to the United States to bring family into the United States, including parents, children, and wives. For the US government, this was in keeping with the continuing family bias of US immigration law. The Japanese emerged from the negotiation saving face, because US immigration policy concerning family reunification regarded Japanese immigrants as it did whites.

On June 8, 1908, Commissioner-General Sargent conveyed a ruling of the Secretary of State to all immigration officials that they must treat courteously the Japanese immigrants applying for admission to the United States and refrain from photographing the immigrants. Nevertheless, he maintained his view that picture marriage was invalid and, subsequently, instructed the officials that “every possible caution of reasonable nature be exercised to prevent the perpetration of imposition and fraud” in connection with picture marriage immigration.

Officers of immigration stations on the Pacific Coast and the Department of Commerce and Labor thus shared the common perception that picture marriage was the Japanese way of importing young women for “immoral purposes” and it allowed child marriage, bigamy, fornication, and incest. Extending these discourses on Japanese picture marriage, the officers unofficially defined Japanese marriage and divorce, as lax in both formality and morality, deviating far from principles of western civilization. However, concerning the issue from the perspective of international diplomacy, the Bureau of Immigration vacillated on official exclusion of picture brides.

III. Visualization as Strategy for Social Justice

A. Strategy by Japanese Immigrants

The Gentlemen’s Agreement of 1908, as mentioned above, recognized the family reunification of those Japanese who had already migrated to the United States. Consequently, picture marriage became a system through which Japanese immigrants could now legitimately acquire wives, and, accordingly, in an attempt to improve Japanese racial standing, the Japanese government launched a policy to regulate the socioeconomic status of immigrants.

Setting rigid standards for both men and women, the government now
controlled the marriages of immigrants, attempting to present Japanese men as independent, self-sufficient and frugal husbands, Japanese women as legitimate housewives, and Japanese families as the equivalent of white middle-class families. The Japanese foreign ministry delegated to the Japanese Association of America and its local branches the issuing of official certificates necessary for summoning family members. And as a prerequisite to summoning a wife or to marry, a single Japanese man had to prove that his financial resources were sufficient to support a family. A picture bride, for her part, was required to stay with her husband’s family for at least six months from the day her name was entered into her husband’s family registry. In 1915, a regulation regarding the age difference between spouses was also established. A bride was ineligible for marriage if she was more than thirteen years younger than her groom.\footnote{25}

Japanese Christian organizations, such as the YWCA, organized by middle-to upper-class Japanese women whose husbands were leaders of local Japanese communities, would also visualize the immigrant Japanese women with a positive image, hoping to ensure their smooth entry into the United States. These organizations had long been known for their vigorous educational program for picture brides, collaborating with their Japanese branches as well as with the Emigration Association in Japan in order to accomplish their goals. As an important part of the program, they gave brides some warnings and guidance regarding their clothes, conduct, and manners, especially on the steamship and upon landing on Angel Island, where the brides were first exposed to Americans.\footnote{26}

And last but not least, individual immigrants themselves were also active agents in the construction of their self-images by using photography for their own

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Fig. 1-a

Fig. 1-b
ends. Picture brides and grooms both created a modernized or westernized self-image in their self-portraits, which they then exchanged with each other (Fig. 1). This very act of self-visualization by the immigrants suggests that, in addition to establishing a marital relationship, the immigrants tactfully fit themselves into the criteria of the immigration policy negotiated by the US and Japanese governments and thus assisted in implementing the formal diplomatic policy.

The resulting legitimate picture marriages increased the number of Japanese families and fostered Japanese land ownership and settlement in the United States. This fueled anti-Japanese sentiment among local farmers, and subsequently, in 1913, the Alien Land Law was enacted in California to prohibit land ownership by aliens ineligible for citizenship, including Japanese immigrants.

Criticisms of picture marriages, and questions regarding their validity and morality continually emerged among the officers of the Bureau of Immigration and the Department of Labor.

While insisting that the marriage system was legal according to the Japanese Civil Code, the Japanese government, together with the Japanese Association of America, defended the morality of picture brides by pointing out the tight screening system established with Japan itself. For example, the Consulate-General of Japan in Ottawa stressed, in a statement to the Superintendent of Immigration, in 1915, that the Japanese Consul would issue a certificate to a groom for calling the bride only after “careful investigation of the case and after his satisfaction of the bona fide of the parties concerned,” and therefore, “no fraud [sic] can be perpetrated.” Indeed, both picture bride and groom went through several levels of a screening process carried out by individual participants, the Japanese government, the Japanese Christian organizations, and the Japanese Association of America, designed to demonstrate both bride’s and groom’s willingness to conform to the gender and moral requirements stipulated by the Japanese government.

In addition to the already existing representation of them as prostitutes, by the early 1910s the picture brides came to be regarded as laborers. In 1914, for example, Commissioner Backus in San Francisco reported to the then Commissioner-General and noted Japanese exclusionist Anthony Caminetti that the brides were largely placed in the occupation of common laborers such as working in the farm fields with their husbands, so that the immigration officers were actually “admitting Japanese laborers in the guise of wives.”

The ideology of gender roles prevalent among middle-class white Americans considered it immoral to have women work outside home. In reality, this standard was not applied to thousands of wives on American farms who regularly participated as members of the family economy in household production and seasonal outdoor labor. However, if the picture brides were defined as laborers, their migration would be charged by the US officials as a violation of the Gentlemen’s Agreement of 1908.

Therefore when asked the purpose of entry to the United States by the
inspectors during the inquiry at the immigration station upon landing, brides commonly answered that they had come to join their husbands as housewives, and grooms testified without exception that they had the financial means to support a wife and intended to have the wife keep house only.\(^{33}\)

Some couples even submitted their family portrait after the bride had already been admitted to the United States (Fig. 2).\(^{34}\)

This is an example of immigrants’ own use of photographs to challenge the common notions of picture brides as prostitutes or forced laborers and to construct their own social reality. By using the strategy of self-visualization, picture-marriage couples pursued social justice, in particular their right to marriage.

**B. Strategy by Immigration Officers**

After the Gentlemen’s Agreement came into force in 1908, officers of local immigration stations demanded that the Bureau of Immigration establish a uniform system to check and control the entry of Japanese picture brides. In particular, they demanded the resumption of the practice of photographing picture brides, which had discontinued with the enforcement of the Gentlemen’s Agreement. The officers regarded the practice as the most convenient means to visualize and record picture brides and their husbands as prospective criminals.\(^{35}\)

The practice was actually resumed less than three years after its banning in 1908 at the San Francisco immigration station on Angel Island.\(^{36}\) Samuel Backus, the Commissioner at the San Francisco station, focused on the controversial aspects of the validity of picture marriage, and put the brides in the category of “special inquiry,” a type of administrative review of cases suspected of being illegal entries, in this case because they were suspected of moral turpitude. Backus separated wives who had not been married through the picture marriage arrangement from the picture brides, to put the former through the general inspection. The advantage of special inquiry, unlike the general inspection, was that it gave immigration officials a prerogative to collect photographs of the interrogated immigrants to file with the immigration records. Backus considered that keeping photographs of brides with the immigration records would also be useful in the future when the US-born Japanese descendants began claiming American citizenship. His point indicates the significance of controlling the entry of women as a means of controlling the growth of the Japanese population.\(^{37}\)
The special inquiry went as follows: First, a picture bride was interrogated alone by three inspectors assisted by an interpreter, and then her groom was brought into the room to be interrogated likewise. The bride and groom presented the exchanged portraits of the spouses for the marriage arrangement to the inspectors so they could match them with the real persons (Fig. 3). After the bride and groom were approved for entry, their portraits were confiscated, glued on their immigration records, and kept at the immigration station (Fig. 4).

At this moment, the personal portrait was transformed into an archival record, and the meaning of the photograph also changed. These personal portraits were used initially to present themselves as modern, civilized individuals suitable for marriage and admission to the United States. The photos were then passed into state archives where they could be deployed at any time and used for the state’s surveillance and control purposes.

C. A Fact-Finding Survey of Picture Brides in 1916

The confiscated photographs and records of picture brides were actually used by the Bureau of Immigration and Naturalization in 1916, following a request for an investigation on picture brides by matrons of Women’s Home of Episcopal Church, after four Japanese picture brides were rescued by the Home from spousal abuse and forced prostitution. On December 31, 1915, Commissioner-General Caminetti ordered Commissioner Edward White in San Francisco to investigate the actual living conditions of picture brides, with the purpose of proving “what evils have resulted from the admission of [picture brides]” and determining “further proceedings.”

Commissioner White selected records of eighty picture brides who had been
admitted to the United States in January, February, and April of 1915 and then located in California. He sent twenty-five records to the Sacramento station, and fifty-five to the Los Angeles station. Immigration inspectors at the two stations launched a search for the brides, visiting one after another at home, with the records and photographs of the brides in their hands. They questioned the selected picture brides and husbands about their financial status, family life, way of living, number of children, and community environment, as well as questioning the neighbors about the reputations of the couples in the community. They then sent reports to commissioners at the San Francisco and Los Angeles stations. Tracking the bride was often bewildering, physically as well as financially, for the investigators, especially when the family had moved from the original address. Inspector C. H. Hannum reported to have sought advice in this respect from Commissioner White, who instructed him to continue the survey to find out whether picture brides were being put to work in any way other than being housewives at any cost.

Contrary to what the Japanese exclusionists Caminetti or North expected, the investigation concluded that the Japanese families were overall in favorable conditions. Based on my research into forty-eight cases out of a total of eighty cases, thirteen brides were reported as working outside the home, thirty-two brides as staying home as wives, and three brides either missing or deceased. None of them was reported as being engaged in prostitution. Furthermore, forty-five Japanese families were evaluated highly by the inspectors in regard to their way of living, character, and reputation, using words like “responsible,” “successful,” “reliable,” “respectable,” “law-abiding,” “industrious,” “getting along nicely,” “well dressed,” “prosperous,” “well recommended,” and, in regard to their homes, “neatly/comfortably furnished.”

After the investigation, the officers at the Angel Island immigration station stopped the practice of filing photographs and records of picture brides. The last picture brides to have their photographs confiscated were those brides who arrived on July 9, 1916. After that, picture brides were not placed in the category of special inquiry any longer except in the case of a bride younger than sixteen, or a bride likely to become a public charge.

Interestingly, the change occurred before 1917, when a new immigration law was established to introduce a literacy test for immigrants, and Japanese picture brides were finally defined as wives by the US government. Upon joining World War I in 1917, the two governments established the Lansing-Ishii Agreement and allied themselves against Germany. This international situation led the US government to compromise with the Japanese Foreign Ministry and to formally acknowledge the picture brides as bona fide wives and exempt them from the obligation of a literacy test as well as remarriage after entry. It is puzzling why the immigration officers ceased subjecting picture brides to special inquiries before the US government had agreed to recognize them as wives; yet, this change implies that the officers, who had been obsessed with filing photographs
of picture brides despite the Gentlemen’s Agreement of 1908, came to hold a conviction from the survey of 1916 that the brides were truly sent for by their husbands and were actually wives, and nothing but wives.

IV. Use of Image for Redefining Social Justice

The anti-Japanese movement in the west coast states waned temporarily during World War I but flared up again after the war. Behind the scenes was the US government passing Japan in their naval armament race, which resulted in US-Japan relations no longer being a top priority for the US government. In addition, the Americanization movement developed as a nation-wide campaign that fiercely increased the sentiment of nativism and xenophobia against immigrants. Anti-Japanese sentiment thus increased among the people in California, where numerous nativist organizations were established; local politicians and mass media further inflamed the movement. The exclusionists targeted their criticism at picture marriage, connecting picture brides’ reproduction with the alleged Japanese plan of invading California. The exclusionists’ anti-Japanese propaganda was made concrete in 1920 by a revised Alien Land Law in California, which effectively banned Japanese immigrants not only from owning but also from renting land in California, and prohibited immigration of picture brides.

Along with many immigrant groups, the Japanese birth rate and population had increased by 1920. The American-born Japanese population in the United States was 29,672, which accounted to 26.7% of the total Japanese population of 111,010. The Japanese percentage of the total population in the United States was as small as 0.1%. Even in California, the state most heavily populated by Japanese, the Japanese composed only 2.1% of the total population in 1920.

The strategy that anti-Japanese activists used for their propaganda was to express in texts a visual impression derived from the view of picture brides entering at Angel Island. Through the texts, readers of newspapers were able to reconstruct the visual image of picture brides in their minds. For example, on March 7, 1919, Senator and anti-Japanese activist James Duval Phelan reported in the Examiner, a major local newspaper in San Francisco, that he saw “the presence of 120 Japanese women, 40 of whom were waiting to join husbands whose photographs they had married in Japan.... [They] become the mothers of children who are thus native born and entitled to hold property.” Valentine Stuart McClatchy, another fierce activist and owner of a local newspaper, the Sacramento Bee, described in the July 26, 1919, issue, “62 of Japanese picture brides with their missions of child-bearing and laboring,” who were admitted into the United States. The brides “who held to their kimono-and-obi and their flapping footwear,” McClatchy reported, “never ceased to smile and salaam” while displaying “gleaming teeth” throughout the inspection.

A view of an enormous number of picture brides on the deck waiting to land
or landing on Angel Island was, actually, a typical depiction in photographs by immigration officers or a hired professional photographer (Fig. 5). Visitors, as a rule, were prohibited from taking photographs of immigrants at Angel Island, and those who would borrow the photographs stored at the station had to get permission from the Bureau of Immigration and Naturalization. At the request of the Japanese government and the Japanese Association of America, the photographs published in newspapers or magazines were few (Fig. 6). Still, it is not hard to imagine that the activists and media used the photographs of picture brides taken at the Angel Island immigration station as reference for their anti-Japanese propaganda. So with the rise of nativism in the United States, the anti-Japanese activists and immigration officers had a close connection with each other.

It was commonly recognized among the anti-Japanese activists that the view of picture brides entering at the ports would be the most striking and thus effective in agitating anti-Japanese sentiment among viewers. Japanese Consul-General Tamekichi Ohta in San Francisco, panicking over the revival of the anti-Japanese movement, reported to Minister of Foreign Affairs Uchida that the California Oriental Exclusion League had “a plan to film picture brides and show the film throughout the nation”, because “the sight of picture brides entering into the United States is especially striking to the people in general”. To keep hostile Americans from filming picture brides, the Japanese government requested the presidents of steamship companies to divide the brides into small groups and to land them at different times, especially in the evening when filming was difficult. Consul-General Ohta, feeling overwhelmed, finally demanded that the Japanese Association of America voluntarily announce the termination of picture brides.
Conclusion

The arbitrary decision to abolish picture bride immigration made by the Japanese government and Japanese Association repelled the members of Japanese communities. They sent letters to the Nichibei Shinbun, or Japanese American Daily News, the major Japanese-language newspaper in Northern California, to protest the termination of picture marriages. Many of them, including Tokuko Noda of the Japanese YWCA, for example, found the Japanese Association to be thoughtless, depriving the immigrants of the right to marriage. Some reviled the Japanese Association of America for catering to the exclusionists, and said that their decision was equivalent to admitting that picture marriages were illegitimate. Hyakusen Yamagami in Berkeley said: “[I]f those ambitious local politicians and ignorant anti-Japanese activists were clamoring for the abolition of picture marriages, the Japanese Association of America should instead wisely point out picture marriage practiced among Italian immigrants”. Japanese community members commonly agreed that the Japanese Association should have tried to make the American public understand the marriage system and its concept.54

The Japanese government further negotiated with the US government, hoping to suppress anti-Japanese state legislation, including the new Alien Land Act, in exchange for abolishing picture bride immigration. The Japanese government’s persistent attempt had no effect in reforming the immoral images local white Americans held of Japanese, or in taming anti-Japanese sentiment. The discourse on picture marriage and the image of picture brides, which had been produced by anti-Japanese activists for their own propaganda purposes, were well fixed in the American popular mind as a type of knowledge they had about the Japanese race. And, this knowledge, they felt, legitimized Japanese exclusion, which accordingly affected the rights and privileges of Japanese residents in the United States.

When Japanese picture-bride immigration halted in 1920, there were an estimated 24,000 single Japanese men, or approximately 42.5% of the total Japanese male population, in the Japanese community.55 These Japanese men were doomed to remain bachelors, unless they could afford to return to Japan to get married. Under the new policy established by the Japanese government, those Japanese returnees had somehow to find a bride and get married within as few as thirty days. The brides were called “kankodan (excursion) brides” and were as harshly criticized by the Japanese exclusionists as picture brides had been.56 In 1922, the Department of Labor declared that any marriage performed when one of the parties was in the United States and the other in a foreign country was invalid for immigration purposes. The Immigration Act of 1924 declared that “the term ‘wife’ and ‘husband’ do not include a wife or husband by reason of a proxy, or picture marriage”.57 The Act of 1924 also excluded further Japanese immigration into the United States.58

This study of Japanese picture marriage in the early twentieth century United

Marriage as Citizen’s Privilege: Japanese Picture Marriage and American Social Justice
States demonstrates that social justice was a distribution of civil and social rights endowed to members of a certain political community. In order to enjoy the privilege, or to gain membership of the community, one’s political and moral qualifications had to be approved. Manifestation of social justice not only involved the practice of laws or following of political institutions but also required moral qualifications in those who were to be endowed with the rights. In the contemporary United States, notions of race and gender were highly implicated in moral qualifications for American citizenship.

The strategy of visualization of immigrants was used to determine the moral qualifications of Japanese immigrants which was crucial for their social justice, in this case the right to marriage. The Japanese government, Japanese associations, and immigrants themselves all produced and manipulated the representation of individuals, as well as of collective Japanese. While Japanese exclusionists used images of the entry of picture brides into the United States to arouse fears concerning the influx of an inferior race and threats to American society, the Japanese immigrants attempted to present themselves as a civilized race qualified for American social justice.

US-Japanese relations were also crucial in influencing Japanese rights to marriage and immigration policy and control. In the context of international diplomacy, the negotiations regarding the marriage and status of immigrants were pivotal for the Japanese government, which sought to assert independent sovereignty and domestic policy on marriage and to have that policy assertion respected by the US government. While aiming to follow its domestic immigration policy, the US government also recognized that the control of entry and marriage of Japanese immigrants involved diplomacy between the two nations. Thus, the racial difference that determined a social justice of individual person, as Robert C. Yamashita and Peter Park define, “centered not on the biological or anthropological categories of color, but on socioeconomic and geopolitical standards.”

As a result, the Japanese pursuit of a social right—the right to marriage—contributed to redefining who a US citizen was and what the qualifications for US citizenship had to be. The debate and contest between the Japanese and US governments, Japanese associations, Japanese exclusionists, and Japanese immigrants reveal that the ultimate premise of being a US citizen as “white person”, or, members of the European continent existed unchanged. Using the visualizations, immigration agents from both sides supported the hegemony of white middle-class Americans which, accordingly, institutionalized the social justice unavailable to Asian populations.

Notes

1. On the legal advocacy of Asian population in late nineteenth through early twentieth century


12. Commissioner North, San Francisco, to Commissioner-General Sargent, Washington, D.C., 8 February 1905, *Requesting a ruling in regard to photographic or proxy marriages,*
13. Commissioner North, to Commissioner-General Sargent, 24 June 1908, Regarding Japanese “proxy” marriages, File 1456-1, Box 107, NARA.
14. Commissioner-General Sargent, to Commissioner North, 16 February 1905, File 48066, Box 107, NARA.
16. Secretary of Commerce and Labor Metcalf to Lake, 17 March 1905, File 48066, Box 107, NARA.
17. Commissioner-General, Washington, D.C., 23 June 1907, Memorandum for the Secretary, File 51641/24, Box 107, NARA.
18. Acting Secretary, Memorandum in the case of Tsuye Ozaki and her appeal, File 51641/24, Box 107, NARA.
20. San Francisco Chronicle (6 November 1906).
24. In addition to Iki case and Ozaki case, for example, Mitsue Yoshino case in Seattle was concerning divorce and remarriage, see Memorandum of Solicitor, 8 January 1908, In re appeal of Yoshino Mitsue, File 938/3; and Kinu Yoshida case in Seattle was concerning marriage between cousins (incest), see Prosecuting Attorney Vanderveer, Seattle, to Commissioner-General Sargent, Washington, D.C., 24 March 1908; Commissioner-General, 10 April 1908, Memorandum for the Secretary; Memorandum of Acting Secretary, Washington, D.C., 11 April 1908, In re appeal of Yoshida Kinu, File 51938/13, Box 107, NARA.
31. Commissioner Backus to Commissioner-General, Caminetti, 6 January 1914.


33. *A meeting of a Board of Special Inquiry at Angle Island Station*, Department of Commerce and Labor, File no. 12939/20–17, Box 734, NARA.

34. For example, File 10450/8–7, Box 498; File 13043/20–30, Box 750, Records of the Immigration and Naturalization Service (hereafter cited as RINS), NARA.


36. The San Francisco station had been collecting photographs of the picture brides at least since 1911. The Seattle station also resumed to require picture brides to submit their photographs at least since 1914. Memorandum for the Commissioner-General, 3 January 1914, File. 52424/13


38. Law Officer, Parker, for the Commissioner-General, Washington, D.C. to Commissioner Backus, San Francisco, 31 December 1915, File 54012/113; 52424/13, NARA.


40. Inspector Hannum, Sacramento to Commissioner White, San Francisco, 3 May 1916, file 400/262; Commissioner White, San Francisco to Inspector Hannum, Sacramento, 5 May 1916; and Memorandum, File 52424/13, Box 550, NARA.

41. The estimation is based on the author’s interview with William Greene, an archival specialist at NARA, Pacific Branch at San Bruno.

42. Acting Secretary of State Polk, Washington, D.C. to the Secretary of Labor Wilson, Washington, D.C., 30 July 1917, File 894. 4054/19; Secretary of Labor Wilson, Washington, D.C. to Secretary of State Lansing, 20 August 1917, File 894. 4054/20, NARA.


44. Daniels, *Asian America*, 144–47.


47. *Sacramento Bee* (26 July 1919).

49. Rene Bache, writer, Washington, D.C., to Officer in Charge, San Francisco, 21 May 1915, NARA.


51. On connection between the Asian exclusionists and immigration officers, see Lee, *At America’s Gate*, 71-72.

52. Telegram from Consulate-General Ohta, San Francisco, to Foreign Minister Uchida, Tokyo, 5 October 1919, Nihon Fujin no Shashin Kekkon ni yoru Tobei wo Nihon Seifu ni oite Kinshi Suruyo Rinsei no Ken (Regarding request for the Japanese government to terminate picture-marriage immigration of Japanese women); Telegram from Consulate-General Ohta, San Francisco, to Foreign Minister Uchida, Tokyo, 9 October 1919, Shashin Kekkon Fujin no Tobei Yokyo no Katsudo Shashin Satsuei Boshiiho ni tshuki Zaibei Taishi e Rinsei no Ken (Regarding a request for the Japanese Ambassador in respect of preventing filming of the arrival of picture brides); and Chief of Commerce Tanaka, Tokyo, to the presidents of Toyo Kisen (Oriental Steamship Lines), Osaka Shosen (Osaka merchant ship company), and Nihon Yusen (Japan mail steamer company), 14 October 1919, Honpo Shashin Kekkon Fujin no Beikoku Joriku no sai no Katsudo Shashin Satsuei no Kuwadate ni taishi Tekigi Sochiho Shiji no Ken (Regarding the instruction to prevent the filming of Japanese picture brides upon their landing to the Untied States), Tokokinshi Ikken, Nihon Gaiko Bunsho, 1919, vol. I, 67–70, and 72–74.


54. For example, see Nichibei Shinbun (1, 3, and 8 November 1919).


